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PART LIX.

FURTHER CORRESPONDENCE

RESPECTING

EAST AFRICA.

October to December 1899.

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Further Correspondence respecting East Africa.

PART LIX.

No. 1.

Acting Commissioner Ternan to the Marquess of Salisbury.—(Received October 2.)

(No. 178.)

My Lord,

Kampala, July 27, 1899.

IN continuation of my despatch No. 146 of the 6th July, I have the honour to forward a report, received from Lieutenant-Colonel Coles, describing the route between Port Ugowe and Nakaru in regard to its transport capabilities.

It appears to me that a considerable amount of expense and time will be avoided if this route be made use of for pack animals and porters.

The carts will still use the old road as far as Nandi, the loads being then transported as is now being done direct to Port Ugowe under the new arrangement.

I am, therefore, directing Lieutenant-Colonel Coles to establish the military posts required at the cross roads and at Molo, and I am communicating with the Director of Transport in order that he may give any orders he may think fit regarding the use of the new track.

As regards the feeding of the new posts, I do not anticipate any difficulty, as the empty transport animals and porters returning from Port Ugowe will be able to carry back food from Kitoto's, a great centre of cultivation.

As regards the military establishment of the "Road Military District," it will be necessary to temporarily increase it, but I hope to be able to do this at little or no expense.

Later on it will, no doubt, be possible to reduce some of the garrisons in the Road District and abolish others.

As regards the last paragraph of Lieutenant-Colonel Coles' Report, I have the honour to inform your Lordship that, in addition to the steel boat referred to, arrangements have been made for the hire of two large dhows from traders to assist in water transport.

Two dhows are also now being built for this Administration and should be ready in four months' time.

There are always 100 canoes available on hire capable of carrying 1,000 loads at a trip, so that I do not anticipate any difficulties as regards water transport for freight purposes, though for rapid communication a steam-launch is much wanted.

I have, &c.

(Signed) TREVOR TERNAN.

Inclosure in No. 1.

Lieutenant-Colonel Coles to the Adjutant, Uganda Rifles.

Sir,

Elimenteita, July 5, 1899.

I HAVE the honour to report that in accordance with instructions contained in your letter of the 22nd May, the first part of which, *i.e.*, that relating to the establishment of a post at Port Ugwe, has already been complied with, as previously reported, I have now examined the country lying along the proposed route of the railway from Port Ugowe to Lake Nakaru. There is a track running for the greater part of the way near the proposed line of railway, which has been improved by the Survey Party. Where it passes through the forest it has been widened, and the larger streams have been bridged temporarily. The path presents no difficulties, for porters, laden donkeys, cattle, &c., can pass along it. Railway caravans use it frequently, and are accompanied by small escorts of a few armed askaris.

The march from Port Ugowe to Molo occupies seven days. The latter place is 18 miles from the camping ground to the north of Lake Nakaru. The Survey camps occur about every 6 miles, and there is abundance of water everywhere except the last 13 miles of the march from Molo to Lake Nakaru, which are waterless.

After leaving Kitoto's the country in the vicinity of the path is uninhabited. There is a certain amount of cultivation visible in the Nandi Hills, but caravans passing through rarely meet any natives on the road. Both Wa-Nandi and Wanderobo visited the various Railway Survey camps, which were usually stationary for three weeks or a month. The natives were quite friendly and brought in food and honey for sale in small quantities.

About 32 miles from Kitoto's and 45 from Molo a trail crosses the track, leading from Nandi to Lumbwar. It appears to be used by the Nandi cattle herds, probably for the purpose of visiting a salt lick in the neighbourhood.

I propose to establish a post near this point. It could be fed from Kitoto's, and either porters or donkeys could be used for transport. I am informed there will be a station on the railways near the proposed post.

As it will take eleven days at least from Naivasha to Kitoto's, I think it would be advisable to establish a food depôt at Molo, or the present transport depôt at this station might be utilized.

As to the strength of the garrisons of these posts, I consider that half a company should be stationed at the post near the Lumbwa trail. Twenty to twenty-five men would be sufficient garrison for Port Ugowe, and if a food depôt is established at Molo a few askaris would be necessary.

This does not allow much margin for escorts should they become necessary, but at present the natives hold aloof from caravans and I think a few armed askaris are all that is required.

To furnish garrisons for the two posts I have only No. 16 Company (Soudanese), about sixty strong, available, and if all the posts in the district are to be maintained at their present strength, I think that the establishment of No. 16 Company should be increased by twenty-five men. I do not consider it advisable at present to reduce the garrison of either Mumia's or Nandi.

As I have pointed out in a former letter, there are no canoes or other means of water transport other than the steel boat available at Port Ugowe.

I have, &c.
(Signed) A. H. COLES, *Lieutenant-Colonel,*
Commanding R.M. District.

No. 2.

Acting Commissioner Ternan to the Marquess of Salisbury.—(Received October 2.)

(No. 179.)
Kampala, July 27, 1899.

My Lord,

I HAVE the honour to report that a number of minor Chiefs, living on the German side of the Buddu frontier, lately joined the outlaw Gabriel, an ex-Mganda Chief, in a raid across the border into British territory, and, unfortunately, managed to carry off a number of women and children.

Captain Ashburnham with one company, and Captain Fisher with a detachment from Ankole, are taking the necessary steps to drive these raiders back into German territory, and I have dispatched fifty men of the Indian contingent under a native officer from Kampala to assist.

On the 19th instant Captain Ashburnham by long marches was able to surprise one of the camps of the raiders and killed nine of them, with a loss on the side of the troops of one man severely wounded.

I have written to the German officer at Bukoba requesting him to do what he can to prevent the natives living in German territory from harbouring Gabriel and joining him in these raids, but unfortunately, owing possibly to the weakness of the German forces in the northern district of their territory, they can, I believe, do little.

As your Lordship is aware Gabriel has been for some years an outlaw, who has again and again refused to surrender though promised a pardon. He is of a ferociously cruel and drunken disposition, and has not hesitated to kill and abduct women and children whenever he has been able to do so, many of whom he has ruthlessly tortured and mutilated alive.

It appears to me that to treat this man as other than a dangerous wild beast would be a mistake, and though I am aware that your Lordship is entirely averse in ordinary cases to the offer of a reward for the capture of any person alive or dead, I feel that in this case it is absolutely necessary to do so, and that I shall not be contravening your Lordship's wishes in so doing.

I have therefore decided in this particular instance to offer a reward of 2,000 rupees to any person effecting the capture of Gabriel, dead or alive, or giving such information as may lead to his capture or death.

I have, &c.
(Signed) TREVOR TERNAN.

No. 3.

Acting Commissioner Ternan to the Marquess of Salisbury.—(Received October 2.)

(No. 182.)
My Lord,

Kampala, August 2, 1899.

I HAVE the honour to forward an interesting report received from Mr. Macallister, the Sub-Commissioner, Ankole, on his district.

I do not think the report calls for any remarks from me, except that as regards the collection of customs, it has long been felt that, when circumstances permit, a frontier post on the Ankole German frontier, as also one on the Buddu German frontier, will be necessary.

As regards the post in Buddu, the site has practically been decided upon, and the required post will be very shortly established.

There is at present a considerable leakage in revenue owing to the want of these posts.

I have, &c.
(Signed) TREVOR TERNAN.

Inclosure 1 in No. 3.

Sub-Commissioner Macallister to Acting Commissioner Ternan.

(No. 15.)
Sir,

Mbarara, Ankole, July 10, 1899.

IN the following report I have endeavoured to sketch the principal geographical features and resources of Ankole, also the chief characteristics of the inhabitants, of whom little is known beyond the fact that a few Wahima herd cattle in Uganda.

My observations are necessarily very incomplete, owing to the short time I have been in the country, and to the suspicious and untruthful nature of the people, to whom the commonest question has a dangerous motive.

Ankole is bounded on the south by German territory, on the east by Koki and Buddu, and on the north by Mahogoro and Toro, and on the west by several small tribes living near the east shore of Lake Albert Edward.

It may be divided into three parts—hills, undulating country, and plains.

Of the first, Ruwezu, Ibanda, and the high ranges of Nabu Sozi, Kisasa, and Ruampara are most prominent; the hill tops are bare of timber or scrub, and in most places the lower slopes are cultivated, if there is water near.

The undulating country is a series of low hills, from 100 to 300 feet high, mostly covered with good grazing grass, stunted trees, and spare scrub.

The plains are in the west and extend from the River Ruizi, above and below the Ruampara range, to the German boundary.

Rivers.—There are only two rivres, Ruizi and Ruibu; both are rapid, and rise in the Ruwezu Hills; the former runs south-east into Lake Kachera, and on into Lake Victoria, the latter runs north into the Mpanga Rivers.

There are two lakes, Kachera or Lake Villiers, and Kizimbi, the latter being a mere swamp, although nearly 5 miles long and 1 mile wide.

With the exception of the rivers and lakes mentioned, the inhabitants depend upon the rainfall for water, and as they do not make any provision for storage, it is not uncommon for a village to migrate to the bank of a river a month after the rains are over.

Rainfall.—It is impossible to say whether the rains are regular or not, but this year rain commenced on the 15th January and lasted until the 15th May, and I learn from the natives that there will not be rain again until the end of September or early in October.

Climate.—The average diurnal temperature is about 70 degrees Fahrenheit at 4,000 feet. The nights are cool, 40 degrees Fahrenheit having been registered; this, however, is exceptional.

The climate may be said to be good, better than most parts of the Protectorate west of Nandi.

Europeans taking a moderate amount of exercise enjoy good health: the ordinary malarial fever is rare, but there have been two or three cases of mild low fever during the last two months, due probably to drought and high east winds.

Roads and Communications.—The only roads are the ordinary native paths, which in time will be staightened and widened.

Porterage is the only means of transport.

Inhabitants.—The inhabitants must be classed under two heads, Wahima and Whiro: the former, probably of Galla origin, are in the minority, probably not more than 5 per cent of the population; they are light framed with good features, will not work, and live entirely on milk and native beer. The poorer Wahima are herdsmen, and drive their cattle in search of water and grass, many of them having no regular villages.

Most of the principal Chiefs are Wahima.

The latter are the aborigines, resembling the Wanyoro in appearance. They cultivate the land, and although not actually slaves, they are treated as a subject race.

Both Wahima and Whiro drink "pombe" or native beer in large quantities, 5 gallons is considered a moderate amount per day, but this quantity is generally exceeded if obtainable.

Tobacco is smoked by all, it is prepared from the green leaf which is crushed, made into flat cakes and dried.

All the Wa-Ankole are extremely superstitious, untruthful, and lazy, and, like the Waganda, only the poorest will work.

They have no religion or idols unless Bagindanwe, the late Ntali's war drum can be called such. This is worshipped by them, and is supposed to possess unlimited powers. They have, however, a great dread of evil spirits, and seldom go out after dark.

Charms are in great request, and firmly believed in—the medicine man and rain-maker being more important than the King.

Crime is not common, and the native laws are unusually good, but seldom carried out; suicide is by no means rare.

The death-rate is high, pulmonary complaints being very common, due to scanty clothing and cold nights. This may account for the decrease in population, which I am informed is only half of what it was ten years ago.

I am inclined to think that the Wahima are fast dying out, as a healthy-looking man of this tribe is a rarity.

Resources.—Cattle and ivory are at present alone of any value, the former are numerous but like the Masai, and other similar tribes, the Wahima do not care to sell them.

Ivory is scarce, there being I believe, only two herds of elephants in Ankole.

Gum is plentiful, and appears to be of a high class.

Maize, matama, and wimbi are grown, the two latter only for fermenting the native beer. Bananas, sweet potatoes, and vegetable marrows form the staple diet of the Whiro.

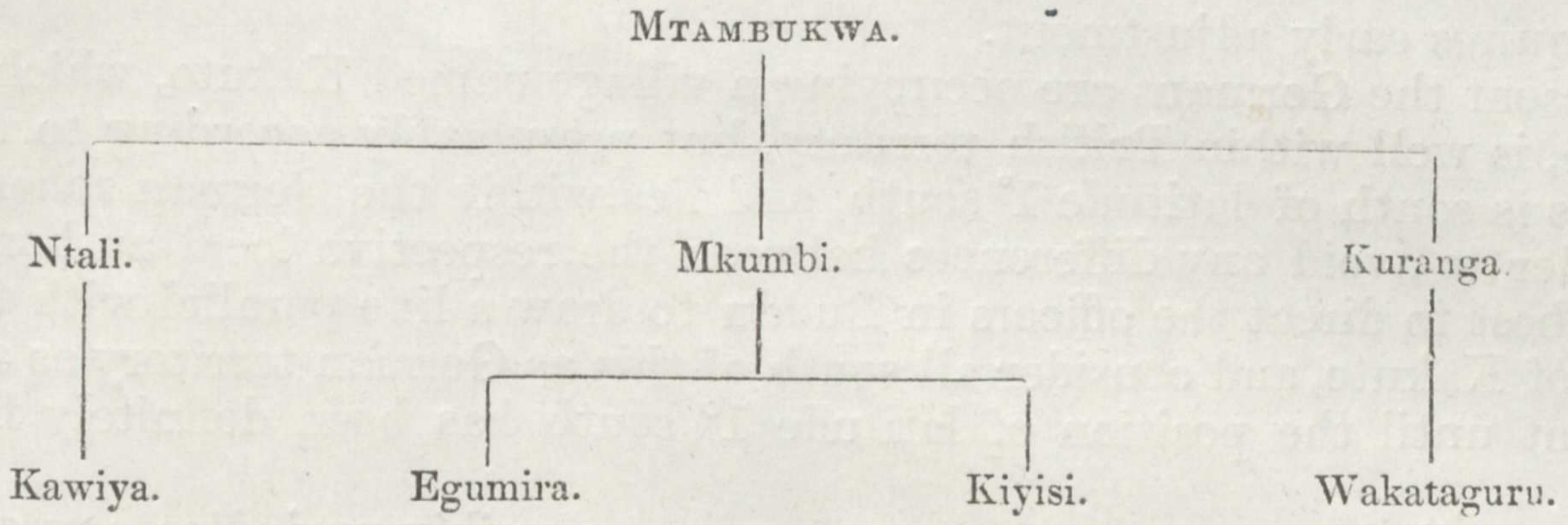
Fish are caught in the rivers and Lake Kichera, but are not eaten. They are dried and used as a medium of exchange with neighbouring tribes.

Population.—It is difficult to estimate the population owing to the large tracts of land unoccupied, but 40,000 is roughly the number of adults.

Political Organization.—The form of government is nominally a despotic monarchy, and, under the late King Ntali, it really was so; but at Ntali's death there was a scramble for the kingdom by four claimants, of whom, Kiyisi, being most powerful, seized the guns and cattle of the late King, and established himself in his place.

Egumira, a half-brother of Kiyisi, objected to this, and a series of attempts were made by the brothers to kill one another; Kawiya was then put forward by Egumira, but their combined following was not strong enough to recover the King's property until the country was occupied by the Administration.

The following genealogical table will show the relationship of the claimants to the kingdom:—



A large majority of the people now acknowledge Kawiya as King, and the ordinary taxes are paid. These, however, are unfair, as the people living nearest to the King's kraal have to pay for those at a distance; but I now have in hand a scheme for the adjustment of King's taxes which, I hope, will give satisfaction to all concerned.

The King's Council is composed of old Chiefs, and each district has its Chief and his Katikiro or Headman, who settle local questions, but disputes about cattle or land are brought before the King, who claims all property, real and personal.

Kawiya is young and weak, and entirely in the hands of his advisers, but he means well, and appreciates the Administration which is responsible for him being in his present position.

I have mentioned the relationship between Kawiya and his cousins, as I have seen it stated that Egumira and Kiyisi are his uncles, and that they have acted as regents from the time of Ntali's death until quite recently.

Revenue.—I attach a statement showing revenue for the half-year ended the 30th June. It is small, but with one station and the staff at my disposal, it is impossible to collect customs efficiently.

I have, &c.
(Signed) R. J. D. MACALLISTER.

Inclosure 2 in No. 3.

UGANDA Protectorate: Ankole District.

	Rs.	a.	p.	Rs.	a.	p.
Customs—						
Imports	180	8	0			
Exports	277	4	0			
				457	12	0
Fines—						
Cattle	..			700	0	0
Presents—						
Cattle	525	0	0			
Ivory	972	0	0			
				1,497	0	0
Receipts from mail service	..			240	4	0
Miscellaneous	..			1,589	8	0
Total	..			4,484	8	0

Note.—Cattle valued at 25 rupees each, about half real value. Ivory valued at 6 rupees per lb., a low estimate.

No. 4.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received October* 2.)

(No. 188.)

Kampala, August 7, 1899.

My Lord,

I HAVE the honour to report, in continuation of my despatch No. 179 of the 27th July last on the subject of the Anglo-German boundary, that the question of the exact whereabouts of the frontier-line in Buddu and Ankole is one which, in my opinion, requires early adjustment.

At present the Germans are occupying a village named Kakuto, which, according to our map, is well within British territory, but presumably according to the German calculations is south of latitude 1° south, and lies within the German sphere.

In order to avoid any differences between the respective local authorities I have thought it best to direct the officers in Buddu to draw a line parallel with the equator, just north of Kakuto, and consider all south of this as German territory as a temporary arrangement until the position of latitude 1° south has been definitely fixed on the ground.

I presume that such an arrangement cannot possibly prejudice any correction of the frontier-line later by a Boundary Commission.

In the meantime, however, the villages which are in the debatable piece of land are without adequate protection, and are liable to be raided by outsiders.

The Germans do not apparently assist the villagers, and we are unable to do so without fear of trespassing.

Unfortunately the Waganda country really extends to the Kagera River, and the villages in question are Waganda villages, who still look on the Waganda Chiefs as their own, and do not understand being cut off from the rest of their country.

It would, of course, greatly facilitate matters regarding the boundary and assist in solidifying the Waganda tribe were the Kagera River to be made the frontier up to Lake Ruaketence.

This, however, is a question which does not affect, at the moment, the point now at issue, and I am aware that it has been previously brought to your Lordship's notice. I merely mention it should your Lordship think that a rearrangement of the border-line would be advisable at a later date.

I have, &c.

(Signed) TREVOR TERNAN.

No. 5.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received October* 2.)

(No. 191.)

Kampala, August 7, 1899.

My Lord,

I HAVE the honour to forward an interesting Report on the salt lake, Katwe, received from Mr. Bagge, the Sub-Commissioner of Toro.

It is hoped that before long the arrival of some of the newly-appointed third-class assistants will admit of it being possible to appoint one to Katwe, and supervise the salt manufacture, which will later on no doubt produce a profitable source of revenue on a small scale.

At present, as Mr. Bagge remarks, the absence of European control renders any arrangements in this direction practically inoperative.

I have, &c.

(Signed) TREVOR TERNAN.

Inclosure in No. 5.

Mr. Bagge to Acting Commissioner Ternan.

(No. 12.)

Fort Gerry, Toro, July 17, 1899.

Sir,

I HAVE the honour to inform you that I have returned to Toro from a visit to Katwe, and append a short statement with regard to the salt lake.

The lake is about a mile and a-half in circumference, and is situated in close proximity to the fort. In the dry weather the natives make earth pans or beds, varying from 10 to 20 feet in diameter, on the shore of the lake into which the water is conducted by means of small ditches, and when the beds are sufficiently full the water is cut off; here it remains for six or seven days, when a slight crust of salt is formed, resembling thin ice in appearance. This is skimmed off the top and is of a pinkish white colour, and forms the first quality; underneath, a much greater quantity of a dark grey colour is obtained, this is the second quality.

I should judge, at present, there are some 200 beds and, so far as I was able to see, there should accrue daily at least two loads of No. 1 and ten loads of No. 2 quality, but it is difficult to say without close observation. In the wet weather, the rains wash all the beds away and render work futile.

It would seem to me that the Government has been robbed in the most wholesale manner, but as, so far as I know, no steps have ever been seriously taken to obtain revenue from the sale of salt, I consider it would be unfair to punish any one.

But I have clearly pointed out to Faragalla Effendi, the Soudanese officer in charge, that a new régime has now come into force, and it is his duty to see that the salt is properly collected and forwarded to Fort Gerry, there being no difficulty in obtaining the necessary porters. But I am doubtful if anything like the full advantage will be obtained until a European can be placed at Katwe to personally overlook the business.

I have, &c.
(Signed) STEPHEN S. BAGGE.

No. 6.

Acting Commissioner Craufurd to the Marquess of Salisbury.—(*Received October* 2.)

(No. 105.)
My Lord,
Mombasa, August 15, 1899.

IN accordance with the Foreign Office instructions of the 26th April, No. 24, I consulted with the Officer Commanding the depôt of the Uganda Rifles respecting the cost of establishing a volunteer corps in East Africa, and now have the honour to transmit his estimates.

These are based upon personal knowledge of the numbers of men likely to join the force, from which it is considered that two companies could be formed at and near Nyrobi, one between Makindu and Voi, and two in Mombasa and Kilindini. The companies to be about fifty rank and file each. Mr. Fletcher has asked for three instructors, one for the Voi-Makindu company and one each at Nyrobi and Mombasa. He shows generally how the corps could be worked cheaply and efficiently; and, as he is permanently stationed here, would make a much better Adjutant than any officer of the East Africa Rifles, who are liable to be frequently moved.

On learning that the expenditure asked for is sanctioned, I anticipate no difficulty in forming the corps under the Indian Volunteer Act, which is probably well known to many of the men who would serve in the ranks.

I have, &c.
(Signed) CLIFFORD H. CRAUFURD.

Inclosure 1 in No. 6.

Lieutenant Fletcher to Acting Commissioner Craufurd.

Sir,
Depôt Uganda Rifles, Mombasa, August 11, 1899.

WITH reference to your letter of the 7th instant, I have the honour to inclose, for your consideration, an estimate of the annual cost to Government to maintain a volunteer corps of the strength of five companies, or 250 rank and file, and beg to call your attention to the following items:—

Adjutant's Allowance.—It will, of course, be a great saving in expense if my suggestion that I perform these duties be acted upon instead of an officer coming out for that purpose only. My being able to undertake both duties has only been rendered possible by a recent order to discontinue the recruiting and training of Swahilis, otherwise I should be unable to offer my services.

Acting Sergeant-Major's Allowance.—I beg to propose that the sum under this heading be paid to Quartermaster-Sergeant FitzPatrick, of the Uganda Rifles Depôt, to perform the duties of a Sergeant-Major and those connected with the work of a Quartermaster; and as he is a very capable and steady man it would be to the advantage of the corps to obtain his services so cheaply.

Sergeant Instructors.—I have estimated for three, and I am afraid it would be difficult to manage with less, as I propose that one be stationed in Mombasa, one at Voi, and one at Nyrobi. If, however, the services of the Quartermaster-Sergeant be accepted I think it would be possible to manage with two. They should be provided with free quarters, which no doubt the Railway could easily manage at the two latter places. The qualifications required and conditions of service I shall be happy to draw up when you may wish for them.

Capitation Grants.—I have estimated these according to section 18 Army Regulations India, Volunteers. Every officer and volunteer must qualify for a certificate of efficiency as therein laid down to obtain these grants, but volunteers have no individual claim on this allowance. These grants are for defraying expenses under the following heads:—

1. Custody, care, and repair of arms.
2. Rifle ranges.
3. Store rooms.
4. Drill grounds, sheds.
5. Clothing.
6. Cost of conveyances to and from parades, drills, and target practice.
7. Camps of exercise, &c.
8. Extra ammunition and stores obtained from Government on payment; sums recovered from members for ammunition issued on payment being credited to the fund.
9. Payment of service labels, telegrams, books, returns, registers, &c.

The chief expense under these headings is that for clothing, everything connected with uniform having to be paid by the corps.

Ammunition.—The annual allowance by Government is 100 rounds per officer and trained volunteer, and 100 rounds on payment at half price, and I have estimated accordingly; but there need be no actual expenditure for quite three years, as there is sufficient ammunition on hand.

Expenses on Formation.—I propose that the Martini be the rifle with which the corps is to be armed. It is quite a suitable weapon for this country, and there need be no expense at the outset, as I have sufficient rifles on hand, and the matter of handing them over for use by the volunteers could be arranged with the Officer Commanding troops, Uganda Protectorate, and the same applies to the equipment.

I have, &c.
(Signed) H. W. O. FLETCHER,
Lieutenant Commanding Depôt, Uganda Rifles.

Inclosure 2 in No. 6.

Proposed Formation of a Volunteer Corps of Five Companies.

ROUGH Estimate for the Annual Expenditure of the above.

Items of Expenditure.	Amount in £.	Remarks.
Adjutant—		
Allowance in addition to present emoluments ..	200	
Sergeant-Instructors—		
Three at 180*l.* per annum	540	
Allowance for acting Sergeant-Major in addition to present emoluments	40	
Capitation Grant (section 18 A.R.I. Volunteers)—		
20 rupees for every officer and volunteer who qualifies for the certificate of efficiency; say, 250 volunteers, 5,000 rupees	333	
Capitation Grant (section 18 A.R.I. Volunteers, paragraph 488)—		
For extra efficients	100	
Ammunition	164	
Total annual expenditure	1,377	This sum need not be taken into consideration for quite three years, *vide* my letter of explanation.
Expenses on Formation.		
Rifles, sword-bayonets, jags, and sight-protectors ..	813	
Equipment	300	
Total formation expenses	1,113	This sum need not be actually expended but merely take the form of a book entry, *vide* my letter of explanation.

(Signed) H. W. O. FLETCHER,
Lieutenant Commanding Depôt, Uganda Rifles.

Mombasa, August 11, 1899.

No. 7.

Acting Commissioner Craufurd to the Marquess of Salisbury.—(Received October 2.)

(No. 113.)
My Lord,
Mombasa, August 24, 1899.

I HAVE the honour to transmit herewith correspondence relating to the transfer of land in the Province of Ukamba particularly, and in the Protectorate generally.

The view I hold, based upon eleven years' local experience, is that excepting on the coast where the educated Arab has been resident, there is no freehold.

I submit this important matter to the decision of your Lordship in the hope that I may be furnished with directions, as it is advisable to avoid the difficulties which will surely take place if Europeans and Indians, frequently unscrupulous in their dealings, obtain from ignorant natives deeds purporting to convey freeholds or similar rights and privileges.

I have, &c.
(Signed) CLIFFORD H. CRAUFURD.

Inclosure 1 in No. 7.

Sub-Commissioner Ainsworth to Acting Commissioner Craufurd.

(No. 266.)

Sir, *Machakos, July* 19, 1899.

WITH reference to your despatch No. 190 of the 11th instant, I have the honour to inform you that what I wish to be understood is that I believe Her Majesty's Government would prefer not to allow Europeans to purchase freeholds in the country without there being some definite understanding in the matter. There is no idea, as far as I am aware, of in any way attempting to despoil the Wakikuyu of their rights, indeed, it is more the other way; we desire to guard the land interests, and therefore we do not want it to become a recognized matter that when an European purchases a bit of land he purchases a freehold. I feel, therefore, that we must maintain the position that there is no freeholds except such as the Government grants; this will not interfere with the native it only touches the purchaser. My idea is, therefore, that when a native parts with any land we must not treat the matter as a sale of freehold rights, but more as a sale of occupier's rights, the freehold remaining the property of the commonwealth, which is granted by the Government, therefore, any person other than a native, taking up a holding would require to take out a certificate for same.

One thing we desire to avoid in Europeans and Indians taking up land is the purchasing of land and the holding of same as a speculation; if we recognize the sale of land as a sale of freehold, we cannot do anything, we would have no control, and so it will be necessary, in so far as transfer of land to Europeans is concerned, to carry out our ideas. The native laws and customs can only apply to the natives amongst themselves; the native asks for a certain price—say for occupier's rights; if he receives it he hands over his occupier's position; there must be no question of a freehold; the new occupier, if an European or Indian, must do as is done now, *i.e.*, bring up the occupier and have it certified that he is the person who has the right to receive the compensation, then the new occupier being a non-native must take out a certificate and conform to the Government conditions; this, as you will see, entails no hardships upon the native: he gets what he wants, we control the transaction, and the new occupier becomes a leaseholder under the Government or commonwealth, and he has therefore to conform to the conditions laid down by the Government; this is all fair and reasonable, in my opinion, and, further, is absolutely necessary if we are to have any control in the matter of non-natives taking up land.

The question of crown lands is a different one; all land which has been cultivated and has been allowed to go fallow, could, under ordinary circumstances, remain as it does now, but should such land be required for public purposes the occupier should be asked if he intends to cultivate it again, if not, or if he is not certain, I think the Government would be right in using the ground; but should a non-native desire to occupy then he could make his arrangements with the native, pay compensation for clearing, and then take out his certificate in the usual way as I have laid down in this despatch.

I am of opinion, however, that the Collector would always be within his rights to call upon any native occupier to either cultivate land which has been allowed to run out of cultivation beyond the reasonable time allowed for such land to remain fallow, or to have the same declared crown lands; such a system could easily be explained to the native Elders, and afterwards a warning notice would either be the cause of bringing the land back into cultivation or else the occupier would lose all rights to compensation.

Absolute virgin lands such as forest lands must, I think, come under the category of crown lands.

With regard to occupied lands, the laws and customs give the natives certain rights; it is for us in the dealings with non-natives to interpret such laws and customs; of course if we wish we can stretch such customs to almost any meaning within their reasoning: if we say it means a freehold then it becomes a freehold, but in our interpretation of the laws and customs I think it is wiser not to recognize any system of freeholds; we want some control over non-native holders of land; if they become freeholders we have practically no hold with regard to the land.

Unless you receive further instructions to the contrary, you should let it be generally understood that the Government will only recognize all so-called purchases of land as purchases of occupier's rights, and that there is no question of freeholds, and that all such purchases of occupier's rights must be approved by the Collector; after such approval the new occupier must take out a certificate in the ordinary manner.

I am forwarding a copy of this despatch to Her Majesty's Acting Commissioner.

I have, &c.
(Signed) JOHN AINSWORTH.

Inclosure 2 in No. 7.

Sub-Commissioner Ainsworth to Acting Commissioner Craufurd.

(No. 113.)

Machakos, July 26, 1899.

Sir,

I HAVE the honour to bring before your notice the matter of purchase of land in Kikuyu.

In the past I have talked the matter over with Sir Arthur Hardinge and I understand that it would be preferable not to recognize any freehold rights in any transfer of land to non-natives.

Indeed, I doubt very much if there is any such thing even amongst the natives themselves as absolute freehold. What I think in the case is that the land is the property of the Kikuyu commonwealth, and an occupier's rights are recognized so long as he remains on or near to the occupation; but be that as it may amongst the natives themselves, I think it will be far better for us to interpret the law as we think best for the country, and I certainly think that it will be far better to uphold the matter thus:—

All natives amongst themselves to conduct their land transactions according to their laws as customs, but should any part with land to a non-native then the transfer of occupier's rights only to be recognized by the Government, and the new occupier to take out a certificate in the ordinary way.

I have addressed a despatch on the subject to Mr. Hall, and I inclose copy of same for your consideration, &c.

The matter is one that requires immediate consideration, and I trust that you will either approve my view of the case or constitute a definite ruling of your own.

I have, &c.
(Signed) JOHN AINSWORTH.

Inclosure 3 in No. 7.

Acting Commissioner Craufurd to Mr. Cator.

(No. 197.)

Mombasa, August 2, 1899.

Sir,

I HAVE the honour to transmit herewith, for your perusal and return, an original despatch, No. 113 of the 26th July, from Mr. Ainsworth, which deals with the question of freehold or occupier's title to land in Kikuyu.

I am of opinion that, strictly speaking, the conception of freehold does not exist amongst the primitive savages of the interior, and it is only by carelessness or cunning that such has been pretended to be conveyed in the past. I would protect the occupier in all the privileges of his occupation, but would be careful to allow nothing to be done which would give rise to the idea that the freehold of the soil could be parted with by any native; and would consider it the duty of the Government to protect both buyer and seller in any transaction between a native and non-native. I am not at all sure that it would not be wise to exercise supervision over dealings between natives, wherever this can be done, to prevent their transferring more by deed or word of mouth than they are legally entitled to do.

I beg that you will favour me with your valuable observations upon this matter.

I have, &c.
(Signed) CLIFFORD H. CRAUFURD.

Inclosure 4 in No. 7.

Mr. Cator to Acting Commissioner Craufurd.

Mombasa, August 21, 1899.

Sir,

IN further reply to your communication No. 197 of the 2nd instant, I have the honour to submit my opinion as to the best means of dealing with the questions raised by Mr. Ainsworth:—

Since I first came to this country I have given my attention to the land question in its various aspects, and, while there is no matter that more vitally affects the relationship of the Government and European settlers towards the natives, there is none, to my mind, presents more troublesome aspects.

Along the coast the private ownership of land is perfectly well recognized amongst the Arabs and Swahilis, although I apprehend difficulties in the future owing to the claims preferred by certain people to tracts of what is now at all events mere jungle, although at some period in the old days when the Arabs were rich in slaves this land may have been brought under cultivation.

Bordering on, and intermingled with, land owned or claimed in this way come the Wanyika tribes, amongst whom I think that I may say with some confidence that individual ownership of land is unknown, though a man may have a limited right to growing trees. It is doubtful if the Wanyika would admit that any land was actually owned even by a village, though I think there can be no doubt that for practical purposes the Government might recognize such a right and treat it as a basis upon which to frame legislation.

Amongst the Wateita I am told that a man acquires a right to continue in occupation of a plot of land so long as he cultivates it, but that if he ceases to cultivate for a season his right lapses. This custom arises from the habits of the Wateita, who cultivate land on the borders of streams or in places which can be artificially irrigated, and can therefore be kept under cultivation continuously. As to the Wakamba, I have no specific information.

It has been sometimes asserted that the Wakikuyu acknowledge individual ownership of land, but I have heard this view contradicted, and I am disposed to think that there is no individual ownership, but that the Chiefs, when strong enough, assume to themselves the right to sell such land as is not actually required by the inhabitants of the villages over which they rule.

The Masai are, by all accounts, a strictly nomadic people, and own no land privately, but as against their neighbours, the Wakikuyu, they claim to have a definite tribal boundary.

The general opinion that I have formed is that, both for the protection of the Government and the natives, no right of private ownership, except amongst the coast Arabs and Swahilis, should be recognized on the part of any native or bodies of natives such as would enable them to confer a title on Europeans. I think that the Crown should lay claim to the land in this country as it does in the Colonies, and that no title should be recognized in the hands of a non-native unless it begins with a Crown grant; for, although the Government must watch over and recognize any rights that the present inhabitants may have acquired, I should strictly prohibit any transfer of such rights to outsiders.

I believe that the best solution of the question will be found to lie in a policy of recognizing the village as the unit for the purpose of native ownership. I would assign a reasonable and sufficient area of land to each village, taking into consideration the claims that its inhabitants make, its size, the nature of the soil, and the requirements of native methods of cultivation which necessitates periods of complete rest for the land. Land so assigned should belong to the village and be incapable of transfer, and, as regards its allotment amongst the inhabitants, I should be inclined to rely upon the Wazee, subject to the supervision of the district officers. For purely pastoral people like the Masai, a sufficient extent of grazing ground should be set apart.

All land outside these limits should be in the hands of the Government, and no person, either native or non-native, should be allowed to acquire any sort of title except under written grant from the proper authority.

I have, &c.

(Signed) R. B. P. CATOR, *Judicial Officer.*

Inclosure 5 in No. 7.

Acting Commissioner Craufurd to Sub-Commissioner Ainsworth.

(No. 68.)

Sir, *Mombasa, August* 24, 1899.

I HAVE had your despatch No. 113 under consideration, and have taken Mr. Cator's opinion in the matter.

I am referring the matter to the Secretary of State, who will, doubtless, obtain legal advice founded upon experience gained in other Protectorates and Colonies, but pending his Lordship's reply, I authorize you to proceed on the lines roughly indicated in your despatch—

1. That there is no native freehold in land or recognition of it by the Government officials of your province.
2. That all transfers of land should receive the approval of a Collector. This is the Regulation of the 8th July, 1897.
3. That the Collector should safeguard the interests of the seller and of his village by refusing to allow the sale of common village land under any conditions, and even the sale of an occupier's right, unless the buyer clearly expresses in writing that he is aware that such right and conditions are all that he purchases.

A copy of my letter to Mr. Cator and of his reply will fully explain the views I hold, which I wish you to carry out until further orders.

I have, &c.
(Signed) CLIFFORD H. CRAUFURD.

No. 8.

Mr. Cave to the Marquess of Salisbury.—(Received October 2.)

(No. 163.)

My Lord, *Zanzibar, September* 7, 1899.

I HAVE the honour to report, with reference to my despatch No. 157 of the 8th ultimo, that the inquiry into the case of the slave dhow which was wrecked at Wasin on the 29th April last has now been concluded.

The circumstances which led up to the capture of the greater part of the crew and the release of some of the slaves were briefly as follows: The vessel, which was named the "Leniya" and carried the Sultan's flag, made an attempt to leave the harbour after dark some few days before her final departure, but was stopped by the water-police, and, as her papers had not been signed at the Port Office, brought back to the anchorage. The following day the matter was reported to the Port Officer, and by him to the First Minister, but, as nothing could be proved against either the owner or the crew, the dhow, after being thoroughly overhauled, was allowed to put to sea on the 26th April, with the avowed intention of proceeding to another part of the island to take in a cargo of firewood. Instead of doing so, however, she seems to have gone no further than Bububu, a place about 7 miles to the north of the town, where her crew landed in the night-time, and, armed with swords and daggers, and assisted by a few accomplices on shore, seized all the natives they could find wandering about the country or in the outskirts of the town, and, threatening them with instant death if they attempted to raise an alarm, hurried them to the vessel and confined them in the hold. Of the thirteen slaves who survived the shipwreck eight were captured in this manner, but five had been stolen from German East Africa, and it is therefore probable that a considerable proportion of those who were eventually shipped, and who were estimated by the survivors to number between fifty and sixty, had either been kidnapped on the mainland or had voluntarily sold themselves or been sold by their relations into slavery on account of the famine, and had been brought over to Zanzibar to await a favourable opportunity for shipment to Arabia.

When the crew had collected as many slaves as they could, or as many as their vessel would hold, they set sail for Muscat, but, deviating from their course in consequence of thick and heavy weather, the dhow struck on the coral reefs lying some few miles to the south-west of the Island of Wasin, and became a total wreck. Six of the crew and thirteen of the slaves succeeded after a desperate struggle in reaching the shore, but the remainder were drowned. The Arabs were tried in the Protectorate Court at Mombasa, and sentenced to various terms of imprisonment, and the rescued slaves were subsequently sent down to me by Mr. Craufurd.

They arrived on the 10th June last, and a rigorous inquiry was at once set on foot as to the means by which their capture had been effected, and the guilt of the persons who were alleged to have been parties to it. This inquiry has naturally taken a long time; the evidence of natives is always rather vague, especially when it relates to events that occurred, as in the present case, on a dark night and with their minds distraught by fear. Some of the persons who were accused of complicity in the crime or required as witnesses were in Pemba, and the search for them had in some cases to be many times repeated before the desired result was achieved. The names mentioned by the slaves were in one or two instances not those by which their owners were generally known, and, where they were correctly given, there are so few Swahili names, and consequently so many individuals who possess the same, that identification is a difficult matter. All these causes contributed to repeated adjournments and delays, and it was only yesterday that the hearing of the case was finally completed and the matter disposed of.

All the persons mentioned in the slaves' depositions taken at Mombasa or in the further statements which they have made since their arrival at Zanzibar have been sought for, and with two or three exceptions, due to failure of identification or to death or absence from the country, have been brought before the local Court and examined. A considerable number of them, chiefly the former owners of the slaves, were able to prove that they had nothing whatever to do with the affair, and were accordingly released, but four of the accused had their guilt brought home to them. Of these, one, Abdallah Naruss, is already undergoing a term of two years' imprisonment on another charge, and will be brought up for punishment when that period has expired, whilst the others have received the following sentences: Yakuti-bin-Kombo, who was proved to have kidnapped a boy on the German coast, and to have subsequently handed him over to the dhow's crew, was condemned to three years' imprisonment with hard labour and three dozen lashes with the cat-of-nine-tails; Ibrahim-bin-Nasibu (called Uledi at the trial at Mombasa) was similarly convicted of having placed another native in the hands of the slave-traders, and was sentenced to two years' hard labour and two dozen lashes, to be followed by deportation; and an askari who was present on the beach when the slaves were put on board the dhow received a similar punishment. The second askari, who is said to have assisted at the shipment of the human cargo at Bububu, cannot be identified, although the whole of the police force has been paraded for the purpose; it is more than possible that he was not an askari at all, but one of the Arabs or their confederates who had assumed a policeman's uniform for his own purposes—a veritable wolf in sheep's clothing.

There is one rather important personage figuring in the depositions whose connection with the affair has not yet been cleared up. This is Abdallah-bin-Hamed, one of the Arab Cadis in Pemba, who is the master of the above-named Ibrahim-bin-Nasibu, as well as of one of the rescued slaves, and who, according to the statement which the latter made at Mombasa, was present at the time when he was taken out of the house by Ibrahim, When I was informed by Mr. Craufurd of the suspicion attaching to the Cadi, I at once applied for his arrest, but found that he had left two days previously on a French dhow for Sur.

I thereupon telegraphed to the British Agent at Muscat, and on the chance that the ship had called there on its way north to Mombasa, but I have received no news of his arrival at either place. It is, I think, very improbable that this man had any hand in the sale of his slave. He enjoys a good character and position, and is the owner of considerable private estates, and he would hardly have risked so much for the chance of gaining the price of a single slave, whom, moreover, if he had desired to dispose of him, he could have taken the slave with him with greater ease and less fear of detection.

It is also to be observed that the boy now contradicts his previous statement, and remembers that his master was inside the house when he was ordered by Ibrahim, who was himself outside, to accompany him into the shambas. A watch will, however, be kept for Abdallah-bin-Hamed, and the matter will be further inquired into on his return to Zanzibar.

Of the thirteen rescued slaves, eight have been given regular employment on the Government plantations, and the other five I have handed to the German Consul, with the request that they may be sent back to their homes on the mainland.

I much regret that the Judicial Officer of the East Africa Protectorate should have made use of certain expressions in delivering his Judgment on this case which have caused a good deal of offence to the Government of Zanzibar, and which cannot but be regarded as a reflection on their administration.

This Judgment has probably been already forwarded to your Lordship, but I inclose a copy of it herewith for convenience of reference. Mr. Cator states as "beyond any possibility of doubt" that the fifty or sixty natives, men, women, and children, who were shipped from Bububu had been abducted from the "very streets of Zanzibar." As a matter of fact, nine of the thirteen survivors were seized in the open country, or were taken to the appointed place of meeting by confederates, whilst the remaining four were pounced upon in some small, dark, narrow lanes which lead down to the sea in the suburb of Gulioni, which is the extreme northern limit of the town, and is practically deserted after nightfall. It is unfortunately quite true that a member (not "some members") of the police force assisted at the embarkation of the slaves, but it must be remembered that the askaris are drawn from a race which has always regarded slavery as one of the fundamental principles of existence, and to which bribery and corruption are as the breath of life. Mr. Cator speaks of this case as "a terrible revelation." It is, of course, deeply to be regretted that, in spite of all our efforts, such events will still occasionally, if but rarely, occur, but to those who are acquainted with the character of these northern Arabs and their victims, it is hardly a revelation. The Muscat dhows must come to Zanzibar during the north-east monsoon, and they must return when the wind blows from the south-west, and no punishment could be severe enough to deter "the uncivilized, unprincipled men" who compose their crews from attempting to make a handsome profit on their undertaking by carrying back a few slaves with them to a country in which, when once they have reached, they run no risk of detection, and find a ready market for their wares. With the continued activity of our cruisers at sea, and of our officials on shore, with the spread of civilization in Eastern lands, and perhaps most of all, with the wider education and increased sense of independence which a higher state of civilization induces, the attempts that are made to trade in human beings are steadily diminishing in number, but, as long as countries such as Muscat remain under Arab rule, and as long as their dhow trade with Africa is maintained, so long will these attempts continue, in spite of all the efforts that may be made to frustrate and discourage them.

I am confident that Mr. Cator's observations were due to his ignorance of the geography of Zanzibar, and of the character of its inhabitants, and that he would be the first to regret having done an involuntary injustice to the local authorities; but in face of the invidious remarks that have been publicly let fall from such an authoritative source as the Bench in the principal Court in the East Africa Protectorate, I feel it to be my duty to record my opinion that the Zanzibar authorities are doing their utmost to loyally discharge their responsibilities.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure in No. 8.

Sessions Case No. 16 *of* 1899.

IN THE PROTECTORATE COURT, EAST AFRICA PROTECTORATE.

Regina *v.* Athman-bin-Ali, Mahomed-bin-Abdulla, Salim-bin-Salaam, Salim Masudi, Salimini-bin-Rashid, Suleman-bin-Heneeshi.

Judgment.

THIS case has revealed to us the existence of practices in Zanzibar that we had hoped to have entirely ceased—practices which most people would have declared to be no longer possible.

It has been proved in this Court beyond any possibility of doubt that a gang of kidnappers have abducted from the very streets of Zanzibar a number of native inhabitants consisting of men, women, and children, and that with the connivance, if not with the active assistance, of some members of the Zanzibar police, they conveyed these people to a place named Bububu a few miles from the town, and then shipped them on board a jehazi or dhow, to the estimated number of some fifty or sixty, with the intention of taking them to Muscat for sale as slaves. It is a terrible revelation, and will cause bitter disappointment to those who hoped and believed that such doings were no longer possible.

The jehazi set sail late one evening and was at sea during the following day, but met with very heavy weather, and in the ensuing night was wrecked at or near the Island of Wasin. Out of the whole number on board only thirteen of the slaves and six of the owners or crew were able to save themselves. They were taken charge of by Mr. Hollis, the Acting Collector at Shimoni, who deserves credit for having promptly secured the owners, and the whole party were sent up to Mombasa.

I need not comment on the evidence. The kidnapped persons appear to have been seized separately, and each has a different though similar story to tell of how they were captured either by certain of the accused or by other of the crew who were drowned, in one or two cases by persons who took them to Bububu and then returned. In one case it appears that the victim was kidnapped in German territory, taken to Zanzibar, and then sold to the accused.

I entirely agree with the assessors on believing the various stories of the witnesses, and it only remains for me to consider what sentence I should pronounce.

I believe with the Sewali that all these men had a share or interest in the venture, and in that sense are equally guilty, and I disbelieve the story that they one and all put forward that they were only baharias or sailors, and were merely obeying the orders of their captain. They say that one of the men who was drowned was the captain, but while that may be true I can only say that I have great doubt if it was so.

At the same time, I believe that two of these men were in a distinctly subordinate position, namely, Mahomed-bin-Abdullah or Hemed-bin-Abid, and Salimini-bin-Rashid, and I shall draw some distinction in their punishment on that account. I deem it my duty, however, to inflict an exemplary punishment on all these men, in hopes that it may act as a deterrent against other would-be criminals of the same stamp.

I sentence the two men Hemed-bin-Abid and Salimini-bin-Rashid to five years' imprisonment with hard labour, and the remainder to seven years' similar imprisonment. All the accused will in addition receive fifty lashes.

(Signed) R. B. P. CATOR.

True copy:
(Signed) R. H. HAMILTON,
Registrar, E.A.P.N.

No. 9.

Dr. Mackinnon to Foreign Office.—(Received October 2.)

Sir, *Mombasa, September* 8, 1899.

I HAVE the honour to report that on the 1st August I left Nairobe and proceeded to the Guaso Kedong, one march from Naivasha, and there, on the 3rd ultimo, opened a transfer camp for the exchange of loads between convoys from Nairobe and those from the Ravine, the latter being presumed to be free from infection from small-pox.

I had, on the 18th July, telegraphed Colonel Ternan, informing him of the practical suspension of transport owing to the Regulations in force regarding small-pox, and on the 20th ultimo I had a reply from him, in which he informed me that he had given such orders as would enable the transport to go on without hindrance, and I am pleased to say convoys are now running regularly right through from Nairobe to Ravine.

Owing to the advance of the railway I am abolishing the Nairobe depôt, and in future convoys will pick up their loads at Kikuyu station. This will mean a saving in time of two days as compared with Nairobe, and spare the animals a long, heavy, up-hill pull.

The mules have been doing well for some time past, deaths from disease having only been two during the last two months.

Three were killed in August by falling into a deep khud where it is crossed by a narrow bridge.

The section of road from the Ravine to the Lake is now being worked by bullock carts and donkeys. The former are doing excellently, and I trust will remain free of disease among them. The donkeys suffer greatly from intestinal worms, which is killing considerable numbers. Mr. Stordy is doing what he can in the matter, and informs me that the only remedy is a salt ration; this I am endeavouring to send.

Acting under instructions from Her Majesty's Acting Commissioner and Consul General, the route for loads has been changed in order to deliver at Port Ugowe instead of Port Victoria. The diversion commences at Nandi, and Lieutenant T. P.

Johnson has almost completed the new road to the edge of the escarpment. From the top of the escarpment to the bottom the loads have to be carried by porters, where they are again put on carts to Port Ugowe. This entails a staff of porters to carry the loads down the escarpment, but will not, I think, increase the expense, as the sum estimated for local porterage from Mumia's to Port Victoria should more than cover the pay of the staff required.

On the 16th ultimo I received the following telegram from Her Majesty's Acting Commissioner and Consul-General:—

"Coles reports direct track from Nakuro to Port Ugowe good for pack animals and porters. Am placing troops on track at Molo and another post 30 miles east of Kitoto's for food depôts. Suggest transport using new track for pack animals and porters, and new posts established, and the carts follow old road to Nandi. Have directed Coles to telegraph you when posts are established on new track."

To this I replied on the 18th ultimo as follows:—

"In reply to your No. 4, carts now doing well. As stables already exist on road, respectfully submit change of road would mean large increase of expense. Pack animals would not carry as much as carts, and to supply necessary mules would denude Nairobe Ravine section. Foreign Office against employing porters. Await your instructions before altering route."

We have now got stables at nearly all camps, and would lose the benefit of them if we use the new track.

Transport for Sir Harry Johnston has been arranged for, and I trust he will be able to proceed without delay.

I have, &c.
(Signed) A. D. MACKINNON.

No. 10.

Foreign Office to Acting Commissioner Ternan.

(No. 195.)

Sir,

Foreign Office, October 4, 1899.

THE Marquess of Salisbury has received your despatch No. 147 of the 6th July submitting Regulations relating to the opening of Uganda mail-bags on the road by unauthorized persons, and I am directed by his Lordship to inform you that he approves the Regulations as published.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 11.

Foreign Office to Treasury.

Sir,

Foreign Office, October 4, 1899.

ON the receipt of your letter of the 18th ultimo, the Marquess of Salisbury referred to the Law Officers of the Crown the proposed lease to Mr. Rule of certain of the pearl fisheries off the coast of the East African Protectorate; and I am directed by his Lordship to transmit to you, to be laid before the Lords Commissioners of Her Majesty's Treasury, for their confidential information, a copy of the Report on the subject.*

Mr. Rule has expressed a wish that the terms of the lease, if granted, may be settled without delay.

The draft lease, which was inclosed in your above-mentioned letter, is herewith returned in order that their Lordships may now consider its terms with the benefit of the opinion of the Law Officers.

The inclosed paper shows the terms obtained by the Zanzibar Government from a firm of merchants who were competitors with Mr. Rule for a lease of the pearl fisheries in Zanzibar and Pemba waters.

I am, &c.
(Signed) FRANCIS BERTIE.

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* See Part LVIII, No. 134.

No. 12.

Foreign Office to War Office.

Sir, *Foreign Office, October* 6, 1899.

IN my letter of the 18th August I submitted, by direction of the Marquess of Salisbury, a request that three Captains and four Lieutenants might be sent out at once to fill up vacancies and relieve officers in the Uganda Rifles, and suggested that other officers should be put under orders to hold themselves in readiness to proceed when directed.

In your letter of the 21st ultimo the names of two Captains and one Lieutenant were given who had been selected for the purpose, and these have now been appointed. The third Captain's appointment has been filled by the local promotion of Lieutenant (now Captain) Pereira.

Your letters of the 5th instant give the names of two more Lieutenants, whose appointments will be at once proceeded with.

This leaves one lieutenancy still to be filled of the appointments asked for.

Colonel Ternan, Commanding the Uganda Rifles, continues to press the urgent necessity of relieving some of the officers, and Lord Salisbury would now ask the Secretary of State for War to nominate five Captains and five Lieutenants (inclusive of the one Lieutenant above alluded to), who should be prepared to go out as soon as possible.

When this exchange of reliefs has been effected the total number of officers in Uganda will be the same as that estimated for in 1898–99, and will fall short of the number provided for in 1899-1900 by three Captains and three Lieutenants. In view, however, of the mission of the Special Commissioner to Uganda, and the possibility that, after consultation with Colonel Ternan, he will be able to recommend a reduction of the military establishment, Lord Salisbury does not propose to ask for a larger number of officers at present.

He is still without the definite reply from Colonel Ternan as to the intentions of the officers who, in regard to returning, desire leave which was alluded to in my letter of the 18th August above referred to. He would, however, be glad to know whether the War Office have information as to Colonel Martyr's intentions on the subject.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 13.

Foreign Office to India Office.

Sir, *Foreign Office, October* 6, 1899.

THE Marquess of Salisbury learns from the Officer Commanding the troops in Uganda that all the officers attached to the Indian contingent in the Protectorate wish to return to their regiments on the expiration of the leave of absence to which they will become entitled in December next. If this is so, it will be necessary that they should be relieved without delay, and his Lordship would be glad if the Secretary of State for India in Council would ask the Government of India to make the necessary arrangements. Some at least of the officers will have to remain in Uganda until the arrival of their successors.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 14.

Mr. Gray to Foreign Office.—(Received October 7.)

Sir, 2, *Paper Buildings, London, October* 5, 1899.

IN reply to Mr. Bertie's letter of the 30th September, with reference to certain supplementary Regulations for the protection of porters arriving in Uganda from East Africa, which have been prepared by Colonel Ternan as supplementary to his own Regulations of the 8th July last, I have the honour to submit that the supplementary

Regulations seem to me to require some alteration in order to adapt them to the Regulations approved by the Secretary of State.

With regard to the 4th Regulation submitted by Colonel Ternan, it seems to be inadvisable in ordinary cases that the Government officer should have power to buy, and, as it were, force upon the leader particular provisions. His powers should, I think, be limited to supplying on request, and to preventing the caravan from proceeding unless it is properly equipped. There may, however, be exceptional cases in which the powers asked for by Colonel Ternan may be required.

I have suggested in the accompanying draft Regulations that the security to be taken in the Uganda Protectorate should be taken at Naivasha, even when the railway passes that station. It appears to me probable that the caravan service will be best conducted if the initial supervision of the immigrant porters is exercised at a particular station, and that a frontier station, and by one officer. Power is, however, given to the Commissioner to direct that the security is to be taken at the station at which the caravan leaves the railway.

I have, &c.
(Signed) A. GRAY.

No. 15.

Treasury to Foreign Office.—(Received October 7.)

SIR, *Treasury Chambers, October 6, 1899.*

I AM directed by the Lords Commissioners of Her Majesty's Treasury to acknowledge the receipt of your letter of the 8th instant, transmitting a copy of the revised Uganda Estimates for 1899–1900, and recurring to the question of providing the steam-launch and steel sailing-boat, for which 3,000*l.* and 2,000*l.* respectively are inserted in those Estimates.

My Lords are glad to observe that the Marquess of Salisbury has seen his way to accept reductions on the original Estimates amounting to 4,460*l.*, viz. :—

	£
Civil Staff—	
For six assistants	1,200
" clerks	1,660
Native Staff—	
For interpreters	186
" askaris	480
" Swahilis and Lendus	934
	4,460

bringing down the total expenditure provided for in the Estimates from 264,606*l.* to 260,146*l.*

I am, however, to point out that my Lords have sanctioned the purchase of two dhows for use on Lake Victoria, at an estimated cost of 2,250*l.* each (Treasury letter of the 24th June, 1899). On reference, however, to the inclosure to your letter of the 7th June, my Lords note that the cost of one of these dhows is there put at 2,750*l.* If this be the correct figure, the cost of the two will be 5,000*l.*, and this sum is not provided for in the Estimates. My Lords had hoped that this 5,000*l.* might be allowed to take the place of the 5,000*l.* actually inserted in the Estimates for a steam-launch and a steel sailing-boat, in which case 260,146*l.* might still have been taken as the total of the estimated expenditure; but if the 5,000*l.* for the steam-launch and steel sailing-boat be retained after all, the result of the correspondence on the Estimates will actually have been to increase the total of 264,606*l.* instead of diminishing it.

In view of this fact, my Lords would strongly press for the postponement of the provision of the steam-launch and steel sailing-boat, as already urged for other, and, in their opinion, weighty, reasons in the Treasury letter of the 19th August. In further support of this view, their Lordships would observe that in Mr. Berkeley's letter submitting the Estimates it was stated that "the general plan would be to have two launches and a sailing-boat for communication on Lake Albert and the Nile, and the same on Lake Victoria." Now, although there is apparently only one steam-launch, the "Nelly," on Lake Albert, there appear to be the following vessels on Lake Victoria already, or shortly to arrive there :—

1. The "Victoria" steam-launch, now being fitted with new boilers.
2. The "William Mackinnon," now being taken to the Lake.

3. The Church Missionary Society's steel boat, in bad condition, but not apparently altogether useless.

4. A small steel boat taken over by the Protectorate from the Juba expedition.

5 and 6. The two sailing dhows, which are to be bought for about 5,000*l.*

It does not, therefore, seem that the number of vessels that should shortly be working on both lakes together is very far below the standard suggested by Mr. Berkeley.

I am, &c.
(Signed) FRANCIS MOWATT.

No. 16.

Colonial Office to Foreign Office.—(Received October 12.)

Sir, *Downing Street, October* 11, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to previous correspondence regarding the preservation of game in Africa, a copy of Ordinance No. 6 of 1899, of the Legislative Council of Southern Rhodesia, shortly entitled "The Game Reservation Ordinance, 1899."

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 16.

Ordinance No. 6, 1899.

An Ordinance to Consolidate and Amend the Laws for the better Preservation of Game in Southern Rhodesia.

BE it enacted by the Administrator of Southern Rhodesia with the advice and consent of the Legislative Council thereof, as follows:—

Repugnant laws repealed.

1. The several laws mentioned in the Schedule hereto shall be and the same are hereby repealed as to their operation in Southern Rhodesia, except as to licences (if any) now current which shall, respectively, be and remain in force until the expiration of the period for which the same shall have been granted.

Definitions.

2. For the purposes of this Ordinance:

(1.) The word "Game" shall be deemed and taken to mean and include the several animals and birds, not being domesticated, respectively mentioned in the following classes:—

Class A. All varieties of the following birds, namely, bustard (including Koorhaan and Paauw), dikkop, francolin (including pheasant and partridge), guinea fowl, sand-grouse (commonly known as Namaqua partridge), and all such of the antelope species as are not contained in the next Class B.

Class B. Elephant, hippopotamus, eland, koodoo, hartebeest (Rooi and Lichtenstein) bontebok), blesbok, gemsbok, zebra, Burchell-zebra or quagga, impala, rhinoceros (black or white), roan and sable antelope, tsesebe, sitatunga, giraffe, ostrich (not domesticated), waterbuck, gnu or wildebeest, reitbok, letchwe, klipspringer, bushbok, and pookoo.

(2.) "Game Licence" shall mean a licence duly issued to hunt, kill, capture, pursue, or shoot at game.

(3.) "Administrator" shall mean the Administrators respectively of Mashonaland and Matabeleland in their respective provinces, or if at any time there shall be only one Administrator in Rhodesia, then such Administrator, and includes an Acting Administrator.

Powers of Administrator.

3. The Administrator may by notice in the "Gazette" or by special permit in regard to sub-section 4 hereof, exercise any of the following powers, viz.:—

(1.) Declare as to any part of Southern Rhodesia that any bird or other animal to be therein specified shall be protected, and not hunted or destroyed, for any number of years not exceeding five.

(2.) Suspend the operation of this Ordinance or parts thereof, either as to Southern Rhodesia or certain districts or portions of districts, or protect certain game or classes of game for a period of time to be stated.

(3.) Declare or provide that certain game or descriptions of game mentioned in clauses A and B respectively in section 2 shall be transferred from one class to the other, and again change or alter such provision.

(4.) Exempt from any of the provisions of this Ordinance prospectors, farmers, police, or persons travelling in the country, and permit them to shoot or capture game for actual consumption as food at places distant more than 20 miles from any township; but no game obtained under any such exemption shall be brought to any town, or be sold or bartered, and provided that nothing in any such exemption contained shall be deemed to authorize the killing or capture of game on the land of private persons in contravention of the provisions contained in section 10 of this Ordinance.

(5.) Fix and prescribe the close time or fence seasons within which it shall not be lawful to kill, pursue, hunt, or shoot at game either with or without a game licence.

Such notice may apply either to—

(1.) The Province of Matabeleland or Mashonaland, or both;

(2.) A district or group of districts in either province, or partly in one and partly in the other;

(3.) A part of a district, or parts of several adjacent districts in either province, or partly in one and partly in the other, and may prescribe a different close time or fence season for certain classes or kinds of animals.

Game injuring crops or gardens.

4. Except as to game found actually injuring crops in cultivated lands, or in gardens, no person shall, unless he be the holder of a game licence, kill, capture, hunt, purue or shoot at game. Such licence shall be taken out annually and shall bear stamps to the value of 1*l.*

Game licence.

5. A game licence shall authorize the killing or pursuit of the description of game above mentioned in Class A of section 2, during a shooting season without other permission or authority.

Special permission to shoot or capture certain game.

6. No person shall under the authority of a game licence hunt, pursue, capture, or kill any of the game above described in Class B of section 2, or as Class B may hereafter be amended by the Administrator under the powers provided in sub-section (3) of section 3 of this Ordinance without the permission in writing of the Administrator. Such permission may, at the discretion of the Administrator, be granted to the holder of a game licence for a period to be in such permission stated, whether such period be within a close or fence season or not.

Every permit granted by the Administrator under this section shall bear stamps to the value of 25*l.* Provided that it shall not be lawful for the Administrator to grant permission to hunt, pursue, capture, or kill any elephant, giraffe, hippopotamus, white rhinoceros, eland, zebra, Burchell zebra or quagga, koodoo or ostrich, which species shall be Royal game, unless such animals are required, *bonâ fide*, fo scientific or farming purposes.

Shooting, &c., and sale of game prohibited in close season.

7. No person shall—

(1.) During a prescribed close time or fence season for any district or other area either pursue, capture, shoot at, or kill game therein; or possess, sell, hawk, or expose tor sale any game in such district after the expiration of one week from the commencement of such close time or fence season.

(2.) Sell, hawk, or expose for sale any game unless holding a licence to sell game, which licence shall be in addition to a game licence. Such licence shall be taken out annually and shall bear stamps to the value of 10*l.*

No licence to sell game shall be issued or granted by any distributor of stamps or other authorized officer, unless the applicant shall produce a certificate signed by the Magistrate of the district that the applicant is, in his opinion, a fit and proper person to be licensed to sell game.

Special permission to take or sell eggs or young.

8. No person shall, without special permission in writing from the Administrator for scientific or other purposes to be mentioned in such permission, wilfully remove, disturb or destroy any eggs, or the young of any bird or animal included under the definitions of game in section 2 of this Ordinance, nor shall sell, hawk, or expose for sale any such eggs or young birds or animals whether obtained under permit or not. Every such permit shall distinctly state the number and denomination of such eggs, birds, or animals which the holder is entitled to obtain or take.

Persons exceeding permit guilty of contravening section.

9. Any person who shall under colour of any such permit as is mentioned in the last preceding section obtain, or authorize or cause to be obtained, a greater number of eggs or young of birds or of kinds other than such as shall be specified in the permit granted to him, shall be guilty of contravening this section of this Ordinance.

Trespass on private property.

10. Nothing in this Ordinance contained shall be deemed to authorize the holder of a game licence to kill game or to enter or trespass upon lands of another person in the pursuit of game, without the permission of the owner or occupier thereof granted before such killing or pursuit. But any permission given by such owner or occupier after the event with reference to the offence shall be as valid as is given before the offence.

Penalty for trespass.

11. If the owner or occupier of land shall have given notice or warning either by letter, advertisement in the "Gazette" or in a local newspaper, or by notice boards upon the property that he is desirous of preserving the game thereon, then any person who shall, contrary to the provisions of the last preceding section, enter or trespass thereon in pursuit of game shall be liable, upon conviction, to a penalty not exceeding 5*l*. for a first offence, and not exceeding 10*l*. for a subsequent offence. Such penalty shall be recoverable without prejudice to the owner's or occupier's right of action for trespass or for the value of any game taken or killed or injured by such person.

Onus of proof of damage done by game to rest with person charged.

12. Whenever any person shall be charged with killing or capturing, pursuing, hunting, or shooting at, selling, hawking, or exposing for sale game without the requisite licence, and shall allege in defence that such game was injuring crops in cultivated lands or gardens, the proof of the truth of any such allegation shall be with the person charged.

In any action game to be presumed to be wild.

13. In any case prosecuted under this Ordinance every game animal or bird shall be presumed to have been wild unless proved to have been domesticated.

14. Any person convicted of the contravention of the provisions of this Ordinance shall be liable to the penalties following, that is to say:—

(1.) For contravention of section 4, for a first offence, a sum not exceeding 5*l*., and for a second or subsequent offence, a sum not exceeding 10*l*.

(2.) For contravention of section 6, for a first offence, a sum not exceeding 100*l*., and for a second or subsequent offence, a sum not exceeding 200*l*.

Penalties.

(3.) For contravening sub-sections (1) and (2) respectively of section 7, for a first offence a sum not exceeding 20*l*., and for a second or subsequent offence, a sum not exceeding 40*l*.

(4.) For contravention of sections 8 and 9 respectively, for a first offence a sum not exceeding 10*l*., and for a second or subsequent offence, a sum not exceeding 20*l*.

(5.) For contravention of any other section in respect to which no other or special penalty has been preecribed, for a first offence a sum not exceeding 50*l*., and for a second or subsequent offence, a sum not exceeding 100*l*.

(6.) For contravention of the terms or conditions of any exemption granted by an Administrator in pursuance of sub-section (4) of section 3, a sum not exceeding 20*l*.

Provided that in any case in which a person shall be found guilty of a first offence against the provisions of this Ordinance, and shall within six months prior to the date upon which this Ordinance shall have come into operation have been convicted of any offence against any law hereby repealed, such person shall be liable to a penalty not exceeding double the amount which, under the provisions hereof, may be imposed in respect to such first offence.

15. In default of payment of any penalty imposed for contravention of this Ordinance, the person convicted shall, in the absence of other provisions in that behalf in this Ordinance specially provided, be liable to imprisonment, with or without hard labour, for the respective periods following:—

(1.) For a period not exceeding one month, if the fine imposed shall not exceed 5*l*.;

(2.) For a period not exceeding three months, if the fine imposed shall exceed 5*l*. and not exceed 10*l*.;

(3.) For a period not exceeding six months, if the fine imposed shall exceed 10*l*. and not exceed 50*l*.;

(4.) For a period not exceeding twelve months, if the fine imposed shall exceed 50*l*.,

Unless in each case the fine be sooner paid.

Cases to be tried before a Magistrate.

16. All prosecutions for a contravention of any of the provisions of this Ordinance may be instituted and tried in the Court of the Magistrate of the district in which the

offence was committed, and such Court may impose the penalties provided for such contravention.

17. The Court before which an offender shall be tried may, in case of conviction, award a sum not exceeding one-half of the fine or penalty recovered to any person upon whose information such conviction was obtained; provided that such person be not an accessory. Reward for information given.

18. Any person shall be deemed to have capacity to prosecute as a private prosecutor any person charged with any offence under this Ordinance. Private prosecutor.

19. In any prosecution for an offence under the provisions of this Ordinance, it shall be sufficient to set forth the offence in the words of this Ordinance. In prosecution it is sufficient to set forth offence in words of Ordinance.

20. This Law may be cited for all purposes as "The Game Preservation Ordinance 1899." Title.

SCHEDULE.

LAWS REPEALED.

No. and Year.	Title.	Extent of Repeal.
Act No. 36, 1886	Game Law Amendment Act, 1886	So much as has not already been repealed.
Ordinance No. 7, 1893	Game Law Amendment Ordinance, 1893	The whole.
1898	Game Preservation Regulations, 1898	The whole.
Act No. 33, 1889	Wild Ostriches Act	The whole.
Act No. 30, 1890	To amend certain provisions of Act No. 33 of 1889, known as "The Wild Ostriches Act, 1889"	The whole.

No. 17.

The Marquess of Salisbury to M. Cambon.

Your Excellency, *Foreign Office, October* 13, 1899.

THE note which you did me the honour to address to me on the 22nd August in regard to the closing of the French Consular Court in Zanzibar has received the careful consideration of Her Majesty's Government. They learn with satisfaction that the French Government accept the jurisdiction of British Tribunals throughout the dominions of the Sultan of Zanzibar, subject to certain reservations.

I understand that the position, which results from the communications which have passed between Her Majesty's Government and the Government of the French Republic, is as follows:—

The immunities accruing to French citizens or subjects and to French-protected persons from Articles IV and VI of the Treaty of 1844, between France and Muscat, will, in so far as the administration of justice by the British Courts is concerned, be restricted in the following manner:

For the future French Consular officers will be precluded from opposing the regular judicial process of those Courts being executed within the districts and by the officers of such Courts, and, on the other hand, French Consular officers will, themselves, cease from issuing or executing process of French Tribunals within such districts.

The jurisdiction of British Courts over French citizens or subjects, and French-protected persons will be complete, such jurisdiction carrying with it the right on the part of the officers of the Courts to enter, in virtue of regular process of such Courts, the dwelling-houses, warehouses, or other properties possessed or occupied by French citizens or subjects or French-protected persons, and to forcibly detain such persons in the dominions of the Sultan.

Her Majesty's Government are ready to leave to diplomatic discussion all questions of French protection which do not come within the competence of the British Courts. Her Majesty's Government understand French-protected persons in this connection to be:

1. Natives of French Protectorates; and
2. Persons entitled to French protection under the provisions of the Treaty of 1844 between France and Muscat.

They further agree that cases before the French Consular Court at the date of its closure shall be carried through by that Court and in accordance with French law.

I shall be glad to hear from your Excellency the date fixed for the closure of the French Court, in order that due notification of the fact may be given to the Judge of the British Court and to Her Majesty's Representative in Zanzibar.

I have, &c.
(Signed) SALISBURY.

No. 18.

Law Officers of the Crown to the Marquess of Salisbury.—(Received October 14.)

Sir,

Royal Courts of Justice, October 13, 1899.

WE were honoured with your Lordship's commands signified to us in Sir Martin Gosselin's letter of the 20th ultimo, transmitting to us the papers relating to the claim of Abu-bekr-bin-Abdullah to exemption from the jurisdiction of the Sultan of Zanzibar, and requesting that we would favour your Lordship with our opinion:—

(1.) As to whether the proposed draft meets with our concurrence, and if not, as to what alterations should be made in it; and

(2.) As to whether, if the draft meets generally with our concurrence, it can be strengthened by an indication of the grounds on which the Sultan's right to jurisdiction over Abu-bin-bekr is grounded; and

(3.) With any general observations.

In obedience to your Lordship's commands we have taken the papers into our consideration, and have the honour to

Report—

That we think that the draft despatch as altered and initialled by us may properly be sent.

There is a great absence of authority on the question what inhabitants of a ceded territory pass to the allegiance of the Power to whom the cession is made. The subject is discussed by Hall ("International Law," 4th edition, p. 593), and by Calvo (5th edition, article 638, *et seq.*) We are disposed to think that domicil in the case of subjects of the ceding Power would be a factor of great importance, but it seems unnecessary to express any view in the despatch on this point.

We have, &c.
(Signed) RICHARD E. WEBSTER.
ROBERT B. FINLAY.

No. 19.

Foreign Office to Treasury.

Sir,

Foreign Office, October 14, 1899.

I AM directed by the Marquess of Salisbury to acknowledge receipt of your letter of the 6th instant, and to submit to the Lords Commissioners of Her Majesty's Treasury the following observations on the subject of vessels required for the Uganda Protectorate.

Advantage has been taken of the presence in this country of Mr. Fowler, Marine Superintendent in the Protectorate, to consult him again on the matter. He points out that, if the arrangement hereinafter indicated is carried out, it will be possible to do without the steel boat, for which the sum of 2,000*l.* was taken in the

Estimates; but he urges that it is of the utmost importance that a steam-launch should be sent out at once.

A telegram was received on the 9th instant from Colonel Ternan stating that the steel boat on Lake Albert is almost worn out and that another is urgently needed for transport purposes on that lake and the Nile. Mr. Fowler proposes that the "Victoria," the steam-launch now being repaired on Lake Victoria, should be transferred from that lake, for which she is not safe, having nearly foundered on one occasion when exposed to a high sea, to Lake Albert, and that the Government steel whaler taken over from Colonel MacDonald, which is too small for Lake Victoria, should also be placed on the Lake Albert. The transport on that lake and down the Nile would thus be provided for. The vessels at the disposal of the Protectorate on Lake Victoria would then, however, consist only of three dhows and the very inefficient steel boat hired from the Church Missionary Society.

Mr. Fowler doubts whether the "W. Mackinnon" can be afloat ready for service for several months but however this may be, he considers that a steam-launch is essential, and that, if sanctioned, it can be sent out and floated without difficulty and will effect a great saving in time and cost of transport between the eastern side of the Lake and Port Alice.

Lord Salisbury trusts that their Lordships will accept these arguments and sanction the immediate ordering of a steam-launch for use on the Victoria Lake, and the transfer of the other vessels to Lake Albert.

I am, &c.
(Signed) FRANCIS BERTIE

No. 20.

Mr. Cave to the Marquess of Salisbury.—(Received October 16.)

(No. 167.)

My Lord,

Zanzibar, September 15, 1899.

I HAVE the honour to transmit herewith, with reference to your Lordship's despatch No. 153 of the 28th July last, copy of a notification which has been issued by the Government of His Highness the Sultan, reimposing, from and after to-day's date, a duty of 5 per cent. *ad valorem* on all goods, with certain specified exceptions, entering the port of Zanzibar. A copy of the new Customs Regulations, which came into force at the same time, is also inclosed.

After mature consideration it was decided not to give any previous notice of the intended change. At the end of 1892, when certain articles which had been exempted from the payment of duty on the establishment of the free port were again made dutiable, and when the modification in the tariff was publicly notified, some ten weeks before it took effect it was found that the importers took advantage of the interval to order large stocks of the various articles affected, so as to avoid having to pay the extra duty. In the present instance, therefore, to prevent the repetition of a transaction which was as unfair to the consumer as it was to the Government, for, whilst the latter lost the amount of the duty, the prices which the former had to pay were quite as high as they would have been if the goods had actually arrived after the date on which the new Regulations came into force, it was resolved to keep the new departure absolutely secret and to give the importers no opportunity of using the telegraph as a means of evading the duty. This resolution was successfully carried out, and the first notification that the public received of the abolition of the free-port system was when, early this morning, the notice which forms the first inclosure to this despatch was posted up in the customs-house. I had already, at a late hour last evening, notified the change to the foreign Consuls in the Circular letter, of which I have the honour to inclose a copy herewith, and a notice to the same effect was published in the "Zanzibar Gazette" in a special edition, which was issued this morning.

This notification consists, as your Lordship will observe, of a bare announcement of the reimposition of an *ad valorem* duty on all imports, with the exception of coins, coals, hippopotamus teeth, ivory, rhinoceros horns and hide, rubber, and tortoise-shell. It also contains a provision that goods on which duty is not already charged will, if *bonâ fide* at sea before to-day's date, be admitted free. This concession, which gives the smallest possible opening for fraud, appeared to me to be most desirable in the interests of the importer, and Sir Lloyd Mathews very readily agreed to insert it in the notice on my representation. The duties already levied at Zanzibar will remain unaltered.

The Bonding Regulations are very similar to those which were submitted to your Lordship in Sir Arthur Hardinge's despatch No. 121 of the 4th April last, and allow of goods which have been declared for transhipment being cleared for home consumption at any time, and removed from bond on payment of the import duties.

The new Regulations, especially those which deal with goods in transit, will probably give rise to a considerable amount of discussion, and it is possible that certain modifications may be introduced into them on the representations of the mercantile community. They will subsequently be recast in final form, and printed, together with the amended Tariff and with such subsidiary Customs Regulations as are still in force.

I have forwarded copies of the two accompanying notifications to the Governments of India and Bombay and to the British authorities at all the ports in Africa and in the Indian Ocean which have commercial relations with Zanzibar.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure 1 in No. 20.

Notification.

Notice No. 1.

ON and after the 15th September, a 5 per cent. *ad valorem* duty will be levied on all imports from foreign countries.

Coins, coals, hippopotamus teeth, ivory, rhinoceros horns and hide, rubber, and tortoise-shell, will alone be exempted from this duty.

Goods (on which duty is not at present charged), *bonâ fide* at sea on or before the 14th September, will be exempted from duty.

(By Order of His Highness the Sultan.)

(Signed) LLOYD WM. MATHEWS, *First Minister and Treasurer of the Zanzibar Government.*

Zanzibar, September 11, 1899.

Inclosure 2 in No. 20.

Bonding Regulations.

Notice No. 2.

THE following additional Regulations have been framed in order to facilitate the work in the custom-house in connection with the abolition of the free port.

Goods will be taken charge of by the Customs authorities on due application being made on a proper printed form supplied for the purpose, and stored in warehouses set apart for such goods. These warehouses will not necessarily form part of the customs premises, and the Collector of Customs shall have full power to alter their site from time to time as necessity may arise.

The importer of goods intended for transhipment, or his agent, shall declare them as such within forty-eight hours after arrival of the vessel, in the same manner and form, and containing the same particulars, as are required for the entry of goods to be delivered for local consumption. Such goods shall be liable to a warehouse rent, as per Tariff, during all the time they are thus kept in warehouse.

All reasonable facilities will be given merchants for handling or shipping goods lying in warehouse, rent to accrue thereon according to the balance of goods left in hand after each fractional delivery. Goods thus declared for transhipment can be removed into town for local consumption on payment of the full warehouse rent due, plus 5 per cent. duty.

Goods in warehouses shall be under the absolute control of the Customs authorities, and the Collector of Customs shall have the right to detain the goods of any person or firm who shall omit or refuse to pay any money due for rent or any other charges due on goods stored in any of the said warehouses.

Rent for all goods placed in a warehouse will be charged per week, and part of a week will be charged as a whole week; the rent will commence from the date of warehousing.

The Customs authorities will not hold themselves responsible for any loss or damage suffered by goods while in warehouse, except in case of culpable negligence on the part of their employés, nor will they be held responsible for the contents of packages when the outward condition on delivery is the same as when the packages were first received in warehouse.

Permission will be given for the opening of packages for appraisement, extracting of samples, &c., but all packages so opened without their condition having been questioned, will be considered as taken delivery of, and no claim for damages subsequently discovered will be allowed. Packages that have once been opened will lie in the warehouse at the risk of the owner.

(Signed) ROBT. V. COSTER,
Collector of Customs.

Countersigned:
(Signed) LLOYD WM. MATHEWS,
First Minister and Treasurer of the Zanzibar Government.

Zanzibar, September 11, 1899.

Inclosure 3 in No. 20.

Mr. Cave to Foreign Consuls at Zanzibar.

(English Version.)

Sir, *Zanzibar, September* 14, 1899.

I HAVE the honour to transmit herewith copy of a notification,* issued by His Highness the Sultan, with the assent of the Government of Her Britannic Majesty, notifying that from and after to-morrow, the 15th instant, an import duty of 5 per cent. *ad valorem* will be reimposed on all merchandise entering the port of Zanzibar, except on certain commodities which are particularly specified in the notice. Some new Warehousing Regulations are also inclosed.†

When, on the 1st February, 1892, the Government of Zanzibar and that of the Protecting Power decided to abolish import duties, they anticipated that His Highness' Treasury would, with the consent of those foreign Powers which enjoy rights of exterritoriality at Zanzibar, have been able to make up for the loss of revenue by levying some of the taxes which the administration of a civilized country necessarily demands. In this expectation they have been disappointed, and now, after a trial of the new system which has lasted for more than seven years, they reluctantly find themselves compelled to once more impose the former duties.

The announcement which I have just made to you will be published to-morrow morning at the custom-house, and in the "Zanzibar Gazette."

I have, &c.
(Signed) BASIL S. CAVE.

No. 21.

Mr. Cave to the Marquess of Salisbury.—(Received October 16.)

(No. 168.)

My Lord, *Zanzibar, September* 23, 1899.

I HAVE the honour to acknowledge the receipt of your Lordship's telegram No. 62 of the 11th instant, directing me to avoid for the present the discussion with the French Consul of any questions having to do with the rights of exterritoriality claimed under the French Treaty with Zanzibar.

In view of these instructions—which I shall of course do my utmost to carry out—I think that I should at once bring to your Lordship's notice an incident which, under other circumstances, I should not have reported until it had reached a more advanced stage.

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* Inclosure 1 in No. 20.

† Inclosure 2 in No. 20.

About two months ago a man who was arrested for some trivial offence by the Zanzibar police took refuge at the French Consulate. One of the Arab Cadis was sent to explain the circumstances to the French Consul, and, after a few messages and letters of an unofficial character had passed between M. Taillet and Sir Lloyd Mathews, the question was amicably adjusted, and the man handed over to the local authorities. A few days later, however, the French Consul addressed to Sir Lloyd Mathews the official letter of which I have the honour to inclose an extract herewith, wherein he divided Comoros resident at Zanzibar into three separate categories, and, while admitting that those who were or had been in the Sultan's service, as well as such as, having settled here before the declaration of the French Protectorate over the Comoros, had retained no landed interests in their native country, were under His Highness' jurisdiction, claimed as under his protection those coming under the last category who were the possessors of real estate in the Comoro Islands, and all those who had arrived at Zanzibar at any date subsequent to 1886.

Whilst having no desire for my own part to enter on a discussion of such a general character, I felt that it might give rise to considerable inconvenience and misunderstanding in the future if I allowed an official claim of this description to pass without remark, and I therefore addressed to M. Taillet the accompanying note, in which I informed him that, as Representative of the Protecting Power, I could not, without explicit instructions from your Lordship, admit the right of any Comoro natives to register themselves as under French protection at Zanzibar.

M. Taillet has on two or three occasions verbally announced his intention of replying to my letter, but he has not yet done so.

I have, &c.

(Signed) BASIL S. CAVE.

Inclosure 1 in No. 21.

M. Taillet to General Sir L. Mathews.

(Extrait.) *Le* 12 *Août*, 1899.

J'AI recherché et relu avec soin toute la correspondance échangée entre le Gouvernement de Sa Hautesse, l'Agent et Consul-Général Britannique, et le Consul de France, au sujet de la protection des Comoriens résidant à Zanzibar. J'ai l'honneur de transmettre ci-après, en résumé, les résultats de cette étude :—

1. Sont protégés Français, sans conteste, tous les Comoriens établis à Zanzibar depuis la notification de notre Protectorat sur leur pays d'origine, soit depuis 1886.

2. Sont également protégés, les Comoriens établis à Zanzibar antérieurement à 1886, qui ont conservé des propriétés ou immeubles aux Comores, et qui, dans leur propre intérêt, se réclament eux-mêmes de notre Consulat ; ces derniers sont ici en très petit nombre. Les Comoriens de ces deux catégories doivent être régulièrement inscrits sur nos registres.

3. Enfin sont exclus de la protection les Comoriens, quels qu'ils soient, employés au service du Gouvernement Zanzibarite soit en qualité de soldats, soit comme agents de police ; ceux-ci ne sauraient se réclamer de nous, même après la cessation de leurs fonctions, et sont et restent de ce fait sujets de Sa Hautesse le Sultan.

Je crois que tels sont les points principaux de l'accord intervenu à l'époque, entre les parties et reconnu et accepté par elles.

Inclosure 2 in No. 21.

Mr. Cave to M. Taillet.

M. le Consul, *Zanzibar, August* 21, 1899.

I HAVE just received from the First Minister of His Highness' Government a copy of the letter which you addressed to him on the 12th instant, and I venture, as Representative of the Protecting Power, to make the following observations with regard to the general question of the protection of natives of Comoro at Zanzibar.

You remark, in the first place, that "all Comoro people established at Zanzibar since the notification of our Protectorate are, beyond dispute, French-protected persons." I cannot allow that statement to pass without protest. The Treaty between the Government of the Republic and the Sultan of Muscat confines itself to granting rights of exterritoriality to Frenchmen and to subjects of His Highness who are in the service of Frenchmen, and the Zanzibar Government, therefore, has clearly the right to refuse, as the Porte has always done, to recognize as French-protected persons natives of Comoro or of any other French Protectorate. This right has never been renounced. Consequently, natives of Comoro, even if they have been established here since 1886, cannot by right remove themselves from local jurisdiction, and I am unable, on my own responsibility, to consent to their being inscribed on the registers of the French Consulate; but if you desire to make any proposal with respect to those who come under this category, I shall hasten to submit it for the consideration of my Government.

Secondly, you propose to register at your Consulate Comoro people established at Zanzibar previous to 1886 who are still in possession of estates or immovable property at Comoro, and who, in their own interests, themselves apply to your Consulate. I can by no means admit the justice of this pretension. Natives of Comoro established at Zanzibar before the notification of the Protectorate over the country of their origin are undoubtedly subjects of His Highness the Sultan, and they cannot remove themselves, either by their own act or by that of the Government of the Republic, from the local jurisdiction. The Comoro authorities may grant them any privilege whatever when they revisit their native country, but as soon as they return again to Zanzibar, they resume once more their Zanzibar character.

I note with pleasure that you have already excluded from the protection of the French Consulate natives of Comoro employed in the service of the Local Government, either in the capacity of soldiers or as police agents, who, even after discontinuance of their functions, are and remain thereby subjects of His Highness the Sultan.

I have, &c.

(Signed) BASIL S. CAVE.

No. 22.

Mr. Cave to the Marquess of Salisbury.—(*Received October* 16.)

(No. 169.)

My Lord, *Zanzibar, September* 25, 1899.

I HAVE the honour to transmit herewith, with reference to my telegram No. 58 of the 18th instant, copy of a letter, and its inclosures, which I have received from Sir Lloyd W. Mathews setting forth the terms on which the Zanzibar Government would be prepared to accept the entire responsibility for the control of the joint quarantine station on Prison Island.

In this letter it is proposed that the Zanzibar Government should undertake the whole of the initial outlay, amounting to 2,800*l.*, in addition to what has already been expended on the purchase of the island and the erection of buildings, and should provide for the proper supervision of the station and for maintaining it in an efficient state of repair; whilst, on the other hand, the East Africa Protectorate and Uganda Railway Administrations should be jointly responsible for the expenditure arising out of salaries, medicines, &c., and should, in addition, pay to the Zanzibar Government an annual sum, by way of rent, amounting to 10 per cent. on the initial outlay.

I pointed out to Sir Lloyd Mathews that this scheme did not accord with the views expressed in your Lordship's despatch No. 148 of the 19th July, the intention of Her Majesty's Government being, as I understood it, that the annual as well as the initial cost of the station should be divided into four equal parts, of which two were to be contributed by the Uganda Railway, and one each by the East Africa and Zanzibar Protectorates. This intention had been so far modified that your Lordship was now willing to receive and consider an alternative proposal whereby the Sultan's Government should bear the whole of the initial outlay, and undertake the entire control of the station, but the annual expenditure, which would thereby be increased by an amount equivalent to a fair rate of interest on the capital sum expended on the establishment of the station, should still be apportioned in its entirety between the three Administrations.

Sir Lloyd Mathews eventually agreed to place his proposals on a financial basis which I considered would be more equitable as well as more satisfactory to all concerned, and I was eventually enabled to submit to your Lordship the following scheme, in which it is understood that the whole of the initial outlay is to be borne by the Zanzibar Government, and the annual expenditure divided, in the proportions already mentioned, between the Zanzibar and East Africa Protectorates and the Uganda Railway:—

Initial Expenditure.

	£
Actual cost of island and existing buildings	7,400
Cost of additional buildings, &c., required	2,800
Condenser and apparatus for disinfection and cremation	1,500
	11,700

Annual Expenditure.

10 per cent. on initial outlay	1,170
Salaries of skeleton staff	1,170
Repairs and miscellaneous	400
	2,740

Under the first heading the sum of 7,400*l.* represents the actual amount disbursed by the Sultan's Government in the purchase from the former Arab proprietor of the freehold of Prison Island, and in the erection of the large building which was designed for a prison, two bungalows intended for European residents, sheds and out-houses, and various roads, water-tanks, &c.

The second item of 2,800*l.* is for the erection of hospital-huts, guard-houses, kitchens, and other buildings, and for the provision of furniture, kitchen utensils, crockery, water-tanks, and pipes, and a supply of serum, disinfectants, and medical drugs and instruments, required for the installation of a proper quarantine station. The cost of a disinfecting stove, a condensing and cremating apparatus have been put down at 1,500*l.*, but this sum is only approximate as there are no means of obtaining information locally as to the price of these appliances.

It is very desirable that the station should have a condenser, not only because in rough weather it might be impossible to take the water-boat across, but in order that, in the event of there being a large number of persons in quarantine at the same time, the supply of water from the town of Zanzibar might be thereby supplemented.

A crematorium of some kind both for garbage and for dead bodies is an absolute necessity; it would, of course, be impossible to use the sea as a burial-ground for fear of infection, and the purely coral formation of Prison Island and of the other small islands adjacent to it does not admit of graves being dug.

Under the heading of annual expenditure, in the item for salaries, allowance has been made for a doctor (half of whose salary will be paid by the Zanzibar Government in consideration of the services which he will render to them when the quarantine station is not in occupation), an experienced assistant, a dispenser, attendants, sweepers, cook, steward, washerwomen, and ten policemen, Indian sepoys being selected as it would be useless to put Swahilis in charge of a station where the majority of the inmates would probably be natives of India.

The estimates for the annual upkeep and initial expenditure have been kept as close as possible to the sums respectively allocated to these purposes in your Lordship's despatch No. 148, but the data on which they have been calculated are possibly considerably different from those which were made use of in the Foreign Office, as the Memorandum which was submitted to Her Majesty's Treasury in Mr. Bertie's letter of the 21st June last has not been communicated to this Agency.

Under the heading of miscellaneous are comprised repairs to buildings, &c., depreciation of furniture, periodical renewal of serum, drugs, and disinfectants, hire of boats, and various smaller items.

The total of the annual expenditure has been made to cover all the outgoings, so far as they can be foreseen, when the station is not in use, but, as this is the first attempt that has been made to establish a properly-organized quarantined station in East Africa, the estimate must necessarily be of a somewhat speculative character, and the Zanzibar Government are therefore anxious that it should be open to revision at the end of twelve months.

When the station is occupied the skeleton staff will of course have to be increased in proportion to the number of patients, and the responsibility for the extra expense so incurred, as well as for the cost of the inmates' food, medecines and water, and all incidental disbursements, will be borne by that administration within whose territories is situated the destination of the person or persons concerned, or, if more than one of the three administrations is interested, divided proportionately between them. All outgoings under this head would conveniently be paid by the Sultan's Government, who would send in their accounts quarterly, with an additional charge of 5 per cent. to cover the cost of clerical assistance, and as interest on the money which would have to be set aside for this purpose.

The Zanzibar Government fully understand that, if this scheme is accepted, all regulations framed for the control of the station are to receive the assent of Her Majesty's Government, who will also be able to exercise a general supervision over its arrangement and management.

I would venture most respectfully to commend this scheme, or some modification of it, to your Lordship's favourable consideration. I believe that the quarantine station can be maintained far more economically by the local authorities, with their intimate knowledge of ways and means, their large staff of clerical and native labour to draw from, and their ability to apply for a limited period to the quarantine service labour and transport which at other times they could employ for other purposes, than by an Independent Board or Committee who might experience considerable difficulty in finding the men and materials that they required at a moment's notice, and, if they did so, would in all probability have to pay for them at exhorbitant rates, and I am sure that the arrangement would work more smoothly under one central and well-organized administration than under a divided control wherein the general welfare might be subordinated to considerations of individual interest.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure 1 in No. 22.

Sir Ll. Mathews to Mr. Cave.

(No. 78.)
Sir,
Zanzibar, September 13, 1899.

IN continuation of my despatch No. 75 of the 8th instant, and with reference to telegram No. 61 of the same date, received by you from Her Majesty's Government referring to the sanitary station on Prison Island, I now have the honour to forward herewith a Memorandum and Addenda drawn up by Dr. Spurrier and myself on the subject.

You will note that they include all details connected with the initial cost and annual outlay. These calculations are made up through practical knowledge of material and pay as given for such purposes. To minimize the cost of building and to save Her Majesty's Government from outlay, I propose to use a part of the Zanzibar Loan which is now being raised, and charging Her Majesty's Government at the rate of 10 per cent. yearly for all buildings, roads, &c., on the island, those already standing and others to be erected. Her Majesty's Government to pay salaries of staff and all annual outlay connected with the upkeep of the station. The Zanzibar Government undertaking all supervision and thorough repairs of the buildings, &c., this you will realize, is no small item. It is impossible to state the exact amount for the Protectorates to be called upon to pay, therefore I propose that the Zanzibar Government pay for its own patients and the Protectorates theirs, but as a guide I give the contingency account contained in the Memorandum for one month's outlay:—

Food and clothing, 1,200*l.*; steam-boat 66*l.* 13*s.* 4*d.*; water, 68*l.*; pulling-boat, 10*l.*; thirty extra police, with three corporals from healthy Indian coolie passengers, 42*l.*

As regards financing the station (if Her Majesty's Government approve), I propose that all pay of the staff and expenditure for coolies and passengers should be paid through the Zanzibar Government, who will render accounts quarterly charging a commission of 5 per cent. for salary of an accountant, stationery, &c. All vouchers will be signed by at least two members of the Committee, together with the signature of the inventing officer.

I have, &c.
(Signed) LLOYD WM. MATHEWS.

Inclosure 2 in No. 22.

Memorandum respecting Prison Island as a Sanitary Camp.

THE accommodation needed at Prison Island would be—

1. For a large number of coolies landed for segregation, or a ship's company.
2. For actual cases of plague, from the necessity of the case, not computable.

For the first-mentioned class of cases it may be said no accommodation at present exists, and must at once be provided.

The peculiar nature of the Uganda labour supply involves periodical arrival of large numbers of coolies for the next two years, after which such large batches will, in all probability, no longer require to be dealt with.

A site specially suitable for the accommodation of so large a body of men is to be found on the south side of the island, where a distance of 500 feet separates it from the prison building, and where a frontage of 1,500 feet towards the sea enables lines of huts to be constructed with plenty of room available.

	£
Estimate for huts, 600*l.*: 15 huts, 60 ft. by 20 ft., built of mangrove poles, wattle, and daub, with palm-leaf roofs, concrete floors, 40*l.* each, in all	600
Such huts would require care and an upkeep of 2*l.* per hut for roofing and wall repairs every two years on account of exposed position to heavy rains and wind of south-west monsoon. Each hut requires one tank to contain 600 gallons, at 10*l.* per tank, also one tank for kitchen, in all	160
Kitchen	40
Sanitary appliances, concrete slips for walking to the sea, gutters, &c.	50
Washing-house, open with Makuti roof, with regulated supply of water, cemented floor, barrels for water supply	20

Both in the case of a Uganda Railway coolie ship, and in the case of other ships arriving bound for these districts, the need for accommodation of some first and second class passengers is obvious.

For the first class the Main Bungalow will suffice to house, say, ten persons.

For the second class, Bungalow 2 will house twelve to sixteen.

No repairs to speak of are necessary to these bungalows, which are ready for immediate occupation.

For the maintenance of discipline and order a reliable force of police competent to deal with the raw Indian coolie is needed.

These men must be housed.

A house suitable for guard-house already exists, with area 1,150 square feet, requiring only adjoining kitchen.

Estimate for kitchen, with iron roof and mud walls	30

Water is necessary for the segregation camp, either supplied by condenser or by water-boat. The latter would constitute a source of danger to Zanzibar from the probability of rats and flies being carried across to the city, thereby making Zanzibar an infected port.

Condenser and garbage cremator cannot be allowed for in estimate as both cost large sums—cremator, 800*l.*; condenser much the same price.

In fair weather water can be supplied at 3 rupees per ton. Water would be charged at the market rate.

Food—	Rupees.
1st class	6 daily.
2nd „	4 „
3rd „	½ „

to be charged to Protectorates from which they come or are intended for.

A store of coal, firewood, necessary cooking utensils, and crockery, say coal	15
Firewood	5
Oil and lamps for hospitals, huts, and roads	40
Kitchen plates, cups, &c., for 100 patients, also copper plates and cooking pots for 750 persons, staff, and police	100
A small amount of spirits and wine allowed as extras to be supplied by steward or clerk.	
Laboratory fittings and plant, and preventive inoculation	101

	£
Serum	70
Drugs and instruments	100
Disinfectants	70
For the infected the following accommodation is available at once—	
For first class passengers, the top of building of main prison, four to six beds	100
For second class passengers, a building to south side of prison, six beds	50
For third class passengers, the prison main building and cells, windows being inserted and arched openings made one into the other, sixty beds	80
Bedding: 100 beds complete, with mosquito curtains, three blankets, three sheets, two pillows each, enamel washing gear	400
Ten commodes, each 4*l.*	40
Kitchen	40
The advantages of the above arrangements are obvious, all the cases are treated in the same building yet effectually separated.	
Medical officer's house raised and roofed, tank, furniture, &c.	160
Roads and landing steps	60
For convalescents—	
First class, the top of prison (100*l.* for room and baraza on one side of top of prison)	100
Second class, building facing Chuini	50
Third class, covered-in court and one side	25
A site for a laundry is available between the prison and bungalow 2. Here the disinfector could be placed and used for infected clothing on landing, and for bed linen and wearing apparel before washing.	
Estimate for laundry building, 45*l.*; one tank, 10*l.*; 5*l.* for pipes from main tank, &c. (Disinfector not allowed for in estimate.)	60
Burial:—The west of the island should contain a garbage or sewage destroyer and stores of lime, sheds for firewood for the cremation of the dead where religious prejudices are not contrary to that practice. A disused stone-pit could be roughly divided up for graves, where bodies could be buried in quicklime and rough concrete poured over and cemented down, the site being railed round and filled in with sand, &c., afterwards. (There is no burial-ground on the island, except in stone quarries.)	
A store of lime, say at the rate of 10*s.* per body for fifty bodies	25
And 10*s.* firewood each	25
Total initial outlay	2,616
Estimate given by Her Majesty's Government (calculations not sent)	2,800
Balance	184

Note.—The above sum, 2,616*l.*, being an estimate made on the lowest possible scale, the balance, 184*l.*, between the two estimates might be applied as a miscellaneous fund in adding to the comfort of the coolies, making paths, filling in dangerous quarry excavations, raising a stock of fowls and goats, fencing, sheds, raising Indian corn (for food), which readily grows in the crevices of the rocks. It must be kept in mind in making an estimate that all material, water, and earth for building purposes must be carried to the island in boats for almost 3 miles (sometimes in bad weather), and that quarrying cannot continue as at present; the island is in some parts merely a shell, the sea water pouring into the quarry excavations at very high tide.

ANNUAL EXPENDITURE.

The Working Staff.

	£
Medical Officer and Chief Superintendent of Segregation Camp and Hospital, with allowances	650
Plague Assistant (should have much experience)	120
Dispenser	120
Attendants (two orderlies)	48
Sweepers (four)	95
Cook (one)	25
One steward and clerk combined	70
Two dhobies at 50*l.* yearly each	100

Note.—It is proposed to utilize convalescents for duty in the plague wards for minor services, giving each a bonus on leaving the station.

Police Guard.

(1 sergeant, 1 corporal, and 8 privates.)

Pay of guards—	
One sergeant at 2*l.* per month, yearly	24
One corporal at 1*l.* 10*s.* per month, yearly	18
Eight privates at 1*l.* 5*s.* per month, yearly	120
Rations for ten	84
Uniform for ten :—Three suits at 6 rupees each per suit, two caps, two shoes, three shirts, and one blanket each	22
Annual expenditure	1,496
Deduct half Medical Officer's pay	325
Annual staff expenditure	1,171

Note.—Suggest Medical Officer carrying out sanitary reforms in Zanzibar City when not actually engaged on plague duty, half of his pay to be paid by the Zanzibar Government.

CONTINGENCY ACCOUNT.

	£	*s.*	*d.*
The police must be reinforced when a large number of coolies arrive at the island, as segregation must be carefully watched over to facilitate the release of this large body of men from supervision.			
Extra, 30 sepoys and 3 corporals—			
These might be drawn from the best men amongst the coolies, and paid for such service for the time employed	42	0	0
Food and clothing of all landing on the island for one month, say 1,200*l.* in case of emergency (12 first class, 145*l.*; 10 second class, 60*l.*; 750 coolies, 750*l.*; balance, 205*l.* for clothes)	1,200	0	0
Steam-boat—			
Crew, stores, coal, rations, paint, &c., 2*l.* 2*s.* daily when in use, at the rate of 800*l.* yearly; allowance once a week, 2*l.* 2*s.* when no plague; monthly allowance in use every day for plague duties	66	13	4
Water—			
Allowance for one month, filling up tanks in segregation lines, kitchens, and wash-houses	68	0	0
Pulling boat, at the rate of 5 rupees daily, for the month	10	0	0
Total contingency	1,386	13	4

According to Bombay Plague Committee Regulations, a contingency account should be allowed for every increase of patients to the number of twenty beds :—

Hospital assistant	At Bombay rate of pay plus extra for coming to work in Zanzibar.
2 nurses	
1 ayah	
4 ward orderlies	
1 water carrier	
2 sweepers	
2 nurses' servants	
1 hospital cook	

(Signed) **LLOYD WM. MATHEWS.**

Zanzibar, September 13, 1899.

Inclosure 3 in No. 22.

Addenda to Memorandum.

(*a.*) ON the double work and position of Medical Officer.
(*b.*) A local Committee.
(*c.*) Proportionate expense involved in maintenance of patients.

The duties of the Medical Officer in charge of Prison Island will partake largely of the nature of the duties performed in Bombay by the Special Committees and Sanitary Inspectors. A great amount of supervision being required for the effective working of the segregation camps and control of the cases infected or convalescents in the hospital quarters.

When plague is actually on the island, his entire time will be absorbed in such duties. So long as the island is free from plague, it is possible, and, indeed, advisable for him to give very great attention to the sanitary state of Zanzibar city, that it be kept free from those disease-inducing conditions which favour the occurrence and spread of plague when it would undoubtedly contribute a very large contingent to the island, and nullify the intended beneficial work of the island Settlement which is to free the greatest number of people from the state of segregation in the shortest time. No matter what provisions may be made for segregation, isolation, and inoculation, general sanitary measures, such as strictly watched water supply, the cleansing of low-lying quarters of a city, the admission of light and air into over-crowded localities, remain a standard necessity.

For this double duty of supervision of the provisionary arrangements on the island, and the maintenance of the highest standard possible, compatible with local circumstances, of the health of Zanzibar city, an arrangement could be arrived at, for which there is already a precedent of part of the salary of such medical officer to be paid for by the Zanzibar Government and the remainder to be contributed by the Home Government for the special duty or work they require to be overlooked on the island.

For the satisfaction of the different Administrations and of the community, it is desirable that a Committee be formed on the spot to whom such Medical Officer should report from time to time the general position of affairs and resort to for consultative purposes, and who would, during the Medical Officer's absence or detention at Prison Island, carry on such supervisory work.

A Committee of four would be sufficient.

For a precedent in the joint working of Prison Island Establishment, the Cape Colony Leper Establishment at Robin Island may be cited where patients are, or were, taken from both the Transvaal and the Orange Free State, each Government being charged for the maintenance of the respective patients sent by them plus a percentage charge on the working expenses of the establishment.

(Signed) LLOYD WM. MATHEWS.

Zanzibar, September 13, 1899.

No. 23.

Acting Commissioner Ternan to the Marquess of Salisbury—(*Received October* 18.)

(No. 198.)
My Lord,

Port Alice, August 19, 1899.

I HAVE the honour to inclose copy of a letter which I have addressed to the German official in charge of Bukoba on the subject of the German encroachments into British territory.

As I have telegraphed to-day to your Lordship, the matter of the early marking out of the frontier-line appears to me to be becoming more and more a matter of importance, in view of the action of the German authorities, who have lately ordered the cutting down of 500 of the valuable timber trees in Northern Kibumbiro, which, according to our maps, is British territory. These fine trees are in great request for dhow-building and other purposes, and are valuable as being of hard wood and not liable to be destroyed by white ants.

The Germans have been for so long a period allowed to administer Northern Kibumbiro, that it appears to me that the onus of proving that that district is in

British territory devolves now upon us, and it is hardly a question which can be satisfactorily settled by the local authorities, except with the assistance of a properly constituted Boundary Commission, whose decisions as to the geographical positions would be presumably final.

I have, &c.
(Signed) TREVOR TERNAN.

Inclosure in No. 23.

Acting Commissioner Ternan to the Officer Commanding German Imperial Forces, Bukoba.

Sir, *Port Alice, August* 19, 1899.

I HAVE the honour to inform you that it has been brought to my notice that the Imperial German authorities have been in the habit of exercising administrative functions as far north as Kakuto in North Kibumbiro, at which place it is understood there is a German Post.

I think it my duty to point out to you in the most friendly way that, according to the English maps, Kakuto is placed approximately 8 miles north of the border line (latitude 1° south), and is therefore well within British territory.

It is possible that the map may be not quite accurate, but if you concur as to the general correctness of the position assigned to Kakuto, I would ask you to withdraw any German Imperial troops which there may be at Kakuto, or 8 miles south of it, and to cease to exercise any administrative functions in that district.

It is possible, however, that the German maps may show Kakuto as much more south than the English maps do, and consequently in German territory.

It is of course very difficult to decide the exact position of the border line on the ground until a properly organized Anglo-German Commission shall have surveyed the country, and decided the point on behalf of both Governments, and marked out the line; but I would in any case ask you, while the question is pending, to refrain from cutting down timber in the northern portion of Kibumbiro, in order to prevent any embarrassing questions from arising later as to the value of the timber destroyed.

In writing to you on the subject, please believe that I am actuated by the most amicable sentiments towards yourself and your administration.

I am, &c.
(Signed) TREVOR TERNAN.

No. 24.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received October* 18.)

(No. 199.)
My Lord, *Port Alice, August* 19, 1899.

I HAVE the honour to inclose copy of "Custom Regulations,"* which I trust your Lordship will approve. As they were urgently required to enable customs in this Protectorate to be legally collected, I have declared these Regulations "urgent," and issued them pending your Lordship's sanction.

I would ask your Lordship to approve of 100 copies being printed and forwarded to this office.

I have, &c.
(Signed) TREVOR TERNAN.

No. 25.

Acting Commissioner Craufurd to the Marquess of Salisbury.—(*Received October* 18.)

(No. 145.)
My Lord, *Mombasa, September* 26, 1899.

I HAVE the honour to transmit herewith a copy of a despatch I have received from the Chief of Customs respecting a proportion of 1¼ per cent. of customs duty which it has been the custom to retain here on goods declared in "transit."

I am not in favour of the retention of this practice, which, I think, is an infringement of the freedom from transit dues that can legally be claimed by traders in German East Africa for their goods imported viâ Mombasa.

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* Printed separately.

Regarding the last paragraph of my inclosure, the proposed arrangement with the Zanzibar Government would involve a transit due of 1¼ per cent. and an import duty of 5 per cent.; or, if 1¼ per cent. were retained in Zanzibar and 3¾ per cent. taken in Mombasa, or *vice versâ,* mean a loss to the Administration that last handled the merchandize of 1¼ per cent. of its lawful import duty.

Still, I fully appreciate Mr. Marsden's wish to be covered by some fee for the use of the customs premises and the clerical labour entailed in the control of the "transit" trade. I think, therefore, your Lordship may be inclined to authorize me to add a fee of 1¼ per cent. *ad valorem* to the charges shown in "The Fees and Royalties Regulations, 1899." This fee could be levied as warehouse or godown rent on goods or products that do not pay customs duty. It is only reasonable that traders should pay something for the use of the expensive buildings erected on their behalf, and the clerical and other facilities afforded them.

I would add another view of Mr. Marsden's last paragraph; that the balance of trade with Zanzibar should be in our favour, for a greater value in goods out of the main line German and French steamers will pass in "transit" through Zanzibar to British East Africa than will, in produce, pass in "transit" through Mombasa for Zanzibar, and this administration would lose by Zanzibar retaining 1¼ out of the 5 per cent. import duty.

I have, &c.
(Signed) CLIFFORD H. CRAUFURD.

Inclosure in No. 25.

Mr. Marsden to Acting Commissioner Craufurd.

Sir,

Mombasa, September 26, 1899.

I HAVE the honour to bring to your notice that I have for some time past refunded three-quarters of the duty paid to importers who wish to reship goods which had been previously landed and passed through the custom-house; that is to say, that out of an import duty of 5 per cent. I have repaid 3¾ per cent., retaining 1¼ per cent. to pay for custom-house accommodation and the clerical work entailed.

Goods declared in "transit" for the German territory I have treated in a similar manner, taking the full duty of 5 per cent., and refunding 3¾ per cent. on receipt of the certificate of the District Officer at Taveta that the goods have passed the frontier intact. This has been in accordance with Sir Arthur Hardinge's instructions, that I should give every facility for the traders to German territory to use the railway as far as Voi, the nearest station to the frontier.

In the event, however, of my action being challenged at any future time either by the Auditor, the Protectorate Treasurer, or the Lords of the Treasury, I beg that you will obtain his Lordship's sanction to the course followed.

I would further add that it might be to the interest of the mercantile community to have an understanding with the Zanzibar Government on similar lines, and should goods be shipped from the mainland to Zanzibar, or *vice versâ,* without having been declared for transhipment, 1¼ per cent. be retained by the first administration and 5 per cent. be levied by the final administration where the goods are landed and consumed.

I have, &c.
(Signed) A. MARSDEN,
Chief of Customs and Shipping.

No. 26.

The Marquess of Salisbury to Lord Currie.

(No. 9. Africa.)

My Lord,

Foreign Office, October 18, 1899.

I HAVE to acknowledge the receipt of your Excellency's despatch No. 8, Africa, of the 25th ultimo, giving the conditions on which the Italian Government are prepared to agree to the proposals of Her Majesty's Government in regard to the lighting of the coast of Pemba and Zanzibar.

Among these conditions I observe a new one to the effect that the revenue derived from the proposed light dues is to be exclusively devoted to the construction and maintenance of the lighthouses along the coasts of the island of Zanzibar and to the lighting of the port.

You should take an opportunity of pointing out to the Italian Minister for Foreign Affairs that, should this particular condition be insisted on, a similar one would have to be applied in the event of the Italian Government ever desiring to raise duties in the towns leased by them from the Sultan of Zanzibar on the mainland.

Your Excellency might add, confidentially, that favourable answers to the proposal made by Her Majesty's Government have been received from all the Powers interested except Germany, which is waiting for a report from Zanzibar.

I am, &c.
(Signed) SALISBURY.

No. 27.

Foreign Office to Acting Commissioner Craufurd.

(No. 172.)

Foreign Office, October 18, 1899.

Sir,

THE Marquess of Salisbury has received your despatch No. 105 of the 15th August last, forwarding an estimate of the cost of establishing a corps of volunteers in the East Africa Protectorate. His Lordship has received with great satisfaction the intelligence that so large a body as 250 men would join the force. His Lordship trusts that the state of East African finances may at no distant date enable Her Majesty's Government to avail themselves of the readiness thus shown to help in the military defence of the Protectorate; but, for the moment, the very heavy demands made on Imperial revenues for East Africa, Uganda, and other parts of Africa, prevents him from asking the Treasury for the amount which would be required for the volunteer corps.

I am to request you to thank Lieutenant Fletcher for the trouble he gave to the preparation of the estimate, and to take an opportunity of thanking those who expressed their readiness to join the corps.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 28.

Viscount Cromer to the Marquess of Salisbury.—(Received October 23.)

(No. 6. Africa.)

Cairo, October 16, 1899.

My Lord,

IN reply to your Lordship's despatch No. 67 of the 2nd instant, I have the honour to inclose a draft game-law, which has been prepared by Mr. Bonham-Carter, the Judicial Adviser to the Soudan Government, under Lord Kitchener's directions. It is, I understand, based mainly on the regulations in force in East Africa. It will probably undergo some modifications before it assumes its final form. In the meanwhile, it would be useful if it could be submitted for observations to any authority in England who has given special attention to this subject.

I have, &c.
(Signed) CROMER.

Inclosure in No. 28.

An Ordinance for regulating the Killing, Hunting, and Capturing of Game.

1. LICENCES for the killing, hunting and capturing of wild animals shall be issued under the provisions of this Ordinance and shall be of three kinds, namely: Licence (A), Licence (B), and Licence (C).

Licences (A) and (B) may be granted by the licensing officer in his discretion to any person applying for the same.

Licence (C) shall be granted to natives of the Soudan only.

2.—(1.) Licence (A) will empower the holder to kill, hunt or capture a limited number of the animals specified in Schedule (A) and all other kinds of wild animals without limit.

Licence (B) will empower the holder to kill, hunt or capture all kinds of wild animals except those specified in Schedule (A).

(2.) The annual fees for Licences (A) and (B) shall be in accordance with the following scale:—

Description of Licence.	Description of Applicant.	Fees.		
		£	s.	d.
Licence (A) ..	An officer in the service of the Soudan Government or in the military forces serving in the Soudan		..	
	Any other person	25	0	0
Licence (B) ..	An officer in the service of the Soudan Government or in the military forces serving in the Soudan		..	
	Any other person	5	0	0

(3.) Every holder of a Licence (A) shall also pay the sum of 12*l.* for every elephant killed or captured, and the sum of 6*l.* for every rhinoceros, buffalo or giraffe killed or captured.

(4.) The number of elephants, rhinoceros, buffaloes and giraffes authorized under Licence (A) to be killed or captured shall be: two elephants, two rhinoceros, two buffaloes and one giraffe; but the licensing officer may, under special circumstances, increase or decrease such number, and in cases of increase may charge the fees payable for the killing or capturing of each extra animal in advance.

(5.) Every Licence (A) and Licence (B) shall be in force for one year from the date when it was granted and shall than expire. It shall not be transferable. If the original licence is lost or destroyed, a duplicate licence may be obtained upon proof of such loss or destruction, and payment of the sum of 1*l.*

(6.) All huntsmen, beaters and other assistants aiding the holder of a Licence (A) or a Licence (B) to kill, hunt or capture any animal which such licence is authorized by his licence to kill, hunt or capture, shall be covered, while, so acting, by the said licence.

3. Licence (C) may be granted by the Governor-General, or any official authorized by him for the purpose, to any native of the Soudan, or to any body of such natives upon such conditions and for such periods as may be thought to be warranted by the circumstances.

Licence (C) will empower the holder to kill, hunt or capture any of the animals specified in Schedule (A).

4. Previously to granting a Licence (A) or a Licence (B) to any person, the licensing officer may require such person to make a deposit of the sum of 100*l.* or such smaller sum as may be considered sufficient, as a security for his compliance with the provisions of this Ordinance.

5.—(1.) Except as hereinafter authorized, no person not being a native of the Soudan shall kill, hunt, or capture any of the wild animals specified in Schedule (A) without a Licence (A), nor any of the animals specified in Schedule (B) without a Licence (A) or a Licence (B).

(2.) Except as hereinafter authorized, no person being a native of the Soudan shall kill, hunt, or capture any of the wild animals specified in Schedule (A) without a Licence (A) or a Licence (C); but a native of the Soudan may kill, hunt, or capture any wild animal, except animals specified in Schedule (A), without a licence.

6.—(1.) No person shall kill any female or immature animal, or any of the kinds specified in Schedule (A).

(2.) All cow ivory and any tusk weighing less than 10 lbs. is liable to be confiscated, and may be seized without any adjudication of confiscation, subject to a right of appeal to a Magistrate of the first or second class against the confiscation.

7. No licence shall entitle the holder to kill or capture any wild animal upon private property without the consent of the owner or occupier, nor to trespass on private property.

8. Notwithstanding anything to the contrary in this Ordinance, no licence shall be required for—

(*a.*) The killing, hunting, or capturing of wild animals causing serious damage to cultivated property, if no other means of prevention can reasonably be adopted;

(*b.*) The killing, hunting, or capturing of wild animals in reasonable quantities for the purpose of food by persons on a journey.

9. Every holder of a licence must produce the licence when called for by any officer of the Government.

10. Every holder of a Licence (A) shall keep an account of all animals killed or captured by him of the kind specified in Schedule (A), giving details of their sex and the date when and place where they were shot or captured, and shall produce such account when called for by any officer of the Government; and upon the expiration of his licence, or previously to his leaving the Soudan, whichever first happens, shall deliver a copy of such account signed by him to the Licensing Officer.

11. The Governor-General may from time to time proclaim any territory as a game reserve, and may by Proclamation extend or restrict the limits of or abolish any game reserve, and may make special Regulations with regard to any such reserve. Subject to such Regulations, no person, whether a native or non-native, may kill, hunt, or capture any wild animal within a game reserve without a written permit from the Governor-General or an official authorized by him for the purpose. The Governor-General and any official authorized by him for the purpose may, in his discretion, grant leases of the sporting rights over or permits to sport in any game reserve upon such terms and upon payment of such sums as he may think proper, but no such lease or permit shall relieve any person from the obligation to take out a game licence.

12.—(1.) Persons who contravene this Ordinance shall on conviction be liable to the following penalties, that is to say:—

(*a.*) Whoever kills, hunts, or captures any of the animals specified in Schedule (A) without a proper licence; or

Whoever having a licence kills or captures more than the authorized number; or

Whoever is found within a game reserve under such circumstances as to show that he was unlawfully in pursuit of a wild animal;

shall be liable to a fine which may extend to 150*l.*, or to imprisonment which may extend to six months.

(*b.*) Whoever, not being a native of the Soudan, kills, hunts, or captures any of the wild animals specified in Schedule (B) without a proper licence; or

Whoever, whether being or not being a native of the Soudan, kills any female animal of any of the kinds specified in Schedule (A), whether knowing or not knowing the sex of such animal; or

Whoever commits any other breach of this Ordinance shall be liable to a fine which may extend to 50*l.*, or to imprisonment which may extend to three months.

(2.) Provided that if a person shall unknowingly kill a female animal of any of the kinds specified in Schedule (A), and shall upon the first opportunity give notice to an officer authorized to grant game licence and pay a fine of 15*l.*, he shall not be liable on account of killing such female animal to any penalties imposed by this section.

13. The licence of any person convicted of an offence under this Ordinance shall be liable to be forfeited.

14. All animals and the skins, hides, horns, tusks, and carcasses of all animals killed or captured in contravention to the provisions of this Ordinance shall be liable to be confiscated, and may be seized without any adjudication subject to a right of appeal to a Magistrate of the first or second class against the confiscation.

15. Nothing in this Ordinance shall be deemed to relieve any person from the obligation to take out any licence which for the time being is required to be taken out for carrying fire-arms.

16. In this Ordinance—

"Kill," "hunt," and "capture" include respectively killing, hunting, and capturing by any methods, also attempting or aiding to kill, hunt, or capture;

"The licensing officer" denotes any officer authorized by the Governor-General to grant game licences, but includes the Governor-General.

17. This Ordinance may be cited as "The Game Ordinance, 1899."

SCHEDULE (A).

WILD Animals in respect of which Licence (A) or Licence (C) is required.

Elephant. Rhinoceros.	Giraffe Buffalo

Certain of the rarer antelopes.

SCHEDULE (B).

WILD Animals in respect of which Licence (A) or Licence (B) is required.

[To be specified.]

No. 29.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received October* 30.)

(No. 201.)
My Lord, *Port Alice, August* 22, 1899.

I HAVE the honour to draw your Lordship's attention to a point which I think requires adjustment, as regards the regulation of the seniority of officers serving with the Uganda Rifles.

At present it is not clearly laid down if their respective positions depend upon their rank in the British army, or otherwise.

The matter is one which, I think, in the interests of the discipline of this force, calls for early adjustment.

I am strongly of opinion that in order to avoid grave confusion as regards commands and responsibility, the seniority of army officers when serving together in Uganda should be strictly determined by their seniority in the army, precisely as is the case elsewhere.

To depart from this definite system cannot fail, in my opinion, to lead to numerous misunderstandings between officers as to their relative positions, which must be detrimental to discipline.

Moreover, as the discipline of this force is, as laid down by the Uganda Force Ordinance, governed by the provisions of the Army Act, I do not see while this is the case how any other system as regards seniority can well be maintained.

Should it be considered desirable by your Lordship that any particular officer be promoted locally, the provisions of the Army Act as regards seniority can be met by the grant of local rank, gazetted in the ordinary manner.

As a case in point I may mention that Lieutenant Ponsonby was given, on joining the Uganda Rifles, a Captaincy in the force, but he was not gazetted at the same time, as I think he should have been, to the local rank of Captain in the army while serving in Uganda. The result has naturally led to some confusion regarding his proper position. Lieutenant Diver, after serving for some time in Uganda, became a Captain in his regiment, and according to the Army Act consequently became senior to Lieutenant (Captain) Ponsonby. The question of their relative positions then happened to arise, owing to the command of a small detached force with which they were serving at the time, devolving upon whichever was the senior of them.

Captain Diver eventually took command, as he should have done according to the Army Act, Captain Ponsonby being junior to him according to the Regulations in force.

On the other hand Captain Ponsonby, while still a Lieutenant in the army, was a Captain in the Uganda Rifles, though not a local Captain in the army, and Captain Diver while a Captain in the army, was a Lieutenant in the Uganda Rifles at the time.

No such confusion would have arisen if Captain Ponsonby had, when appointed a Captain in the Uganda Rifles, been properly gazetted at the same time to the local rank of Captain while serving in Uganda.

In order to bring that officer into the place originally intended for him in the force, I would now ask your Lordship that he may be now gazetted as a local Captain in the army while serving in Uganda, and that the date be ante-dated to the date of his appointment to Uganda.

To avoid similar cases, I would respectfully suggest that when Lieutenants are appointed to Captaincies in the Uganda Rifles, the grant of local army rank of Captain while serving in Uganda be gazetted, as, in this way, no questions regarding seniority can then arise.

I have, &c.
(Signed) TREVOR TERNAN.

No. 30.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received October* 30.)

(No. 206.)
My Lord,

Port Alice, September 1, 1899.

AFTER careful consideration, with a view to the reduction of expenditure, I have the honour to suggest the following alterations in the rates of pay of the military officers who may be engaged for service in Uganda on and after the 1st November last:—

		Present rate.		Proposed rate.
		£		£
Pay of Captains	From	600	to	540
,, Lieutenants	,,	500	to	420

I would further propose that a bonus of *25l.* be paid on passing a colloquial examination in Arabic, Ki-Swahili, or Ki-Ganda in lieu of the sum of *50l.* annually on account of language allowance, and that a further bonus of *25l.* be paid on passing a prescribed written examination in either language.

I would further suggest that the rates of pay of privates of the Uganda Rifles (local companies) enlisted on and after the 1st November last be reduced from 20 rupees to 18 rupees per mensem, which latter sum the privates of the 1st Battalion (Indian) are now drawing.

These changes will not affect the officers and soldiers now serving.

It is calculated that a very considerable saving will be effected in the near future by these reductions, the full benefit of which, however, will not be felt for some time to come.

Pending your Lordship's sanction, I propose to issue an order that the new rate of pay for privates will be paid to all men enlisted on and after the 1st November next.

I have, &c.
(Signed) TREVOR TERNAN.

No. 31.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received October* 30.)

(No. 207.)
My Lord,

Port Alice, September 1, 1899.

I HAVE the honour to inclose herewith a Statement showing the reduction per annum in the expenditure at the depôt establishment, which will now be effected in consequence of the discontinuance of recruiting at Mombasa previously reported in my despatch No. 58 of the 9th May last.

Though the Swahilis do not make very satisfactory troops as before stated, it will now, for reasons explained below, be necessary to maintain a certain number of companies of them, but there will be no difficulty in arranging this locally by selecting men who are anxious to enlist (and there are many of them) from caravans arriving from the coast. These men are ample for all requirements.

This arrangement will, however, in no way affect the scheme for the reduction of the depôt expenses, as no recruiting will be done at the coast.

The fact is that since writing to your Lordship on the 9th May it has been unexpectedly found by the Officer Commanding the Road Military District that the Waganda serving in the companies stationed in that district suffer a great deal from the change of climate and diet. Being accustomed to eat sweet potatoes and bananas in Uganda, they apparently cannot live satisfactorily on the local products of the Road stations, and the percentage on the sick list is high.

Arrangements have now been made to get over this difficulty to some extent by cultivating sweet potatoes and bananas wherever they will grow, but it is doubtful if this arrangement will suffice. The Swahili, on the other hand, thrives on any food he can get.

Under these circumstances, it will, I think, be desirable to make a more thorough trial of the capacities of the Waganda as regards their physical qualifications for service outside the banana-growing countries before enlisting them in any considerable numbers.

It is, of course, very necessary that the soldiers should be physically able to serve in any part of the Protectorate in case of emergency, and it would be a serious disadvantage were any particular companies to be of use only in their own particular district.

The whole question of recruiting is one of some difficulty; the number of Soudanese recruits required from time to time to fill vacancies in the Soudanese companies is barely sufficient, and very young soldiers have to be accepted in many cases.

Later, when the Nile is open, it will probably be possible to obtain recruits from the Soudan for these companies. The annual waste may be taken at about 10 per cent.

To summarize briefly :—

The supply of Soudanese is practically exhausted.

The Swahilis are not very suitable for military service.

The Waganda, who otherwise make good soldiers, are delicate.

Under these circumstances, it may be necessary later to ask your Lordship to sanction the employment of Yaos, or some other outside race, for service in this Protectorate, but I would not suggest this being done until the advance of the railway to the Lake will allow of cheaper transport than at present, in the meantime doing the best we can with the material available.

I have, &c.
(Signed) TREVOR TERNAN.

Inclosure in No. 31.

COMPARATIVE Statement showing the Reduction effected in the Cost of the Depôt, Uganda Rifles, at Mombasa.

Establishment and actual Cost per Annum before Reduction.

	£	£	s.	d.
Pay—				
1 Lieutenant	At 500			
1 Warrant officer	„ 250			
1 Quartermaster-sergeant	„ 180			
		930	0	0
Pay: Native staff—				
1 Clerk	„ 150			
	Rupees.			
2 Corporals	„ 240			
57 Privates	„ 192			
		911	12	0
Rent—				
Houses for Warrant Officer and non-commissioned officers		150	0	0
Contingencies—				
Porterage, landing charges, boat hire, office		200	0	0
Arms, equipment, and clothing		456	18	0
		2,648	10	0
Deduc		1,002	5	0
Saving effected		1,646	5	0

Estimated Cost after Reduction.

	£	£	s.	d
Pay—				
1 Lieutenant	At 500			
1 Quartermaster-sergeant	„ 180			
		680	0	0
Pay: Native staff—				
1 Clerk	„ 150			
1 non-commissioned officer 3 privates	„ 52			
		202	0	0
Rent—				
House for non-commissioned officer		40	0	0
Contingencies—				
Office	40			
Sundries	32			
		72	0	0
Arms, equipment, and clothing		8	5	0
Total		1,002	5	0

(Signed) TREVOR TERNAN, *Colonel,*
Commanding Troops.

No. 32.

Acting Commissioner Ternan to the Marquess of Salisbury.—(Received October 30.)

(No. 208.)

My Lord,

Port Alice, September 2, 1899.

I HAVE the honour to request the favour of instructions on the following point.

In order to insure regularity in laying out the township at Port Florence, which may be expected to shortly come into existence, I requested the Sub-Commissioner, Kavirondo District, some little time ago, to arrange to make suitable plans in advance. (Copy of instructions inclosed.)

It escaped my memory at the time that the railway claim one mile on each side of the line, and that the land on which the township at Ugowe will be built will be therefore railway property and not under the immediate control of this Administration.

Such an arrangement does not appear to me to be entirely satisfactory, and I would ask your Lordship if some modification as to the ruling concerning the railway land in this Protectorate may be considered.

I would venture to suggest that the Railway be granted a liberal amount of land for railway purposes along the line and at the stations *en route*, amply sufficient for all prospective railway purposes, and that the remainder of the land, viz., that upon which the townships will be built, be not considered as Railway property.

The conditions as to land ownership differ so entirely in this Protectorate from those in the East Africa Protectorate, that it is in my opinion unnecessary to guard the interests of the Railway to such an extent as is desirable in East Africa.

No private property in land by Europeans exists at present anywhere near the railway line, and any future grants of land on lease or purchase will, if the suggestions put forward in my despatch No. 174 of the 22nd July last be approved by your Lordship, be entirely under the control of this Administration, which would guard equally the interests of the Railway.

As regards the actual revenue accruing from the sale of plots of building lands in townships and the leasing of grazing or agricultural tracts, the result would, I presume, be practically the same, whether the revenues be credited to the Railway or to the Administration direct, the funds thus obtained being in either case a set-off to the cost of general administration in Uganda.

But from an administrative point of view, I cannot help thinking that for many reasons the administration of the townships especially, and the grazing tracts perhaps to a less extent, should be immediately controlled by this Admidistration, and that the tenants should look to this Administration and not to the Railway authorities as their landlords.

I can see no particular reason for introducing the Railway authorities as a medium between the tenants and the Government; in fact, such a course would, for many reasons, be undesirable. There would be likely to be confusion as regards rates of rents, and many a tenant will find himself leasing land partly owned by the Railway and partly controlled by this Administration direct.

Under these circumstances, I have ventured to bring this point to your Lordship's notice.

I have, &c.

(Signed) TREVOR TERNAN.

Inclosure in No. 32.

Acting Commissioner Ternan to Sub-Commissioner, Kavirondo District.

(No. 27.)

Sir,

Kampala, July 31, 1899.

I SHALL be glad if you will arrange to lay out the site of the future township at Port Ugowe, so that when settlers, traders, and others apply for building plots, there may be no needless delay in allotting sites.

It would appear to be judicious to reserve the Lake front for wharves, landing-places, and Government buildings, and to arrange that the retail shops be placed in the streets behind.

I would suggest that the township be divided into square blocks, with broad intersecting roads, having a row of trees on each side.

There should, I think, be a wide space left between the Lake Shore and nearest buildings at the non-business end of the town, upon which no building would be allowed. This can later on be laid out as a public garden and promenade.

As it is probable that the products of not only British Equatorial Africa, but also of Northern German territory and the Eastern Congo, will latea on find their way to Port Ugowe, we may well anticipate that Port Ugowe will become a fairly large native town with a sprinkling of European officials and merchants. It will therefore, perhaps, be desirable to divide the town into European and native quarters.

I am, &c.
(Signed) TREVOR TERNAN.

No. 33.

Acting Commissioner Ternan to the Marquess of Salisbury.—(Received October 30.)

(No. 211.)
My Lord,
Port Alice, September 5, 1899.

I HAVE the honour to report that there is a lamentable want of enterprise on the part of British merchants in taking advantage of the openings in this Protectorate for trade, which is consequently falling into the hands of German and Arab merchants.

Under these circumstances, I have thought it desirable to publish the Notice, copy of which is inclosed in the "East Africa Mail" (a new paper recently brought out at Mombasa), and the "Zanzibar Gazette."

An enterprising firm should make very large profits in this Protectorate in retail trade to the Government employés and troops, and in the wholesale trade of cloth to the Administration.

The latter will, of course, dwindle in proportion as the retail trade increases, as eventually, when sufficient retail shops are established at the various stations, the whole of the pay of the troops and other native employés can be made in rupees, and the men will then be able to buy what they require at the shops, and it will be unnecessary for the Government to maintain stores.

This arrangement will, as I have previously stated in my despatch No. 101 of the 1st June last to your Lordship, on the subject of the use of specie in Uganda, lead to considerable economies in "local transport," and by obtaining further supplies of rupees from the coast, and at the same time encouraging merchants to open retail establishments, I trust that this result may soon be brought about.

I have, &c.
(Signed) TREVOR TERNAN.

Inclosure in No. 33.

Notice.

BRITISH merchants and others are informed that the following articles will have a ready sale in the Uganda Protectorate:—

English cloth (similar to American). It is important to note that the "joras" should be 30 yards long.

Cheap looking-glasses, gaudy waistcoats, pocket knives, scissors, enamelled iron ware, cheap clocks and watches, beads, brass wire, coloured blankets, cheap jewellery, tarbouches, Arab coats.

For Europeans:—

Lamps, kerosene oil, glass and crockery, pipes, English tobacco, cigarettes, articles of underclothing, table linen, European provisions.

Troops and Government employés purchase with rupees, natives, principally with ivory.

(Signed) TREVOR TERNAN,
Her Majesty's Acting Commissioner and Consul-General.

No. 34.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received October* 30.)

(No. 212.)

My Lord, *Port Alice, September* 5, 1899.

I HAVE the honour to report that it is quite evident that a military transport section is absolutely necessary in the Road Military District and in the Nile Military District, as in neither of these districts is it possible to improvise transport for the use of troops when required.

In the Road District transport for the move of troops off the actual road cannot be procured locally, and in the Nile District the natives also positively decline to assist in transport matters.

Your Lordship will observe that the utility of the troops depends to a very large extent on their mobility, and in order to meet his necessity I included in this year's Estimate a small permanent military transport section in each district.

It being understood from your Lordship's telegram No. 3 of the 10th March, that this item had been cut out of the Estimates, efforts have been made to carry on, relying on such improvised transport as was obtainable.

This plan, however, has quite failed in both the Road and Nile Districts, and I have found it necessary to again institute the permanent maintenance of a military transport section in those districts.

In the Usoga, Uganda, Ankoli, and Toro Districts it is possible (though I cannot say it appears to me to be desirable to do so) to rely on improvised military transport only, since the natives can generally be got to carry loads if sufficient time be given for their collection by the Chiefs, but to do so in the Road and Nile Districts would be to cripple the movements of the troops, as the local natives will not carry loads under any consideration.

Such a state of affairs is not merely extremely inconvenient, but it is absolutely dangerous in connection with military operations.

I have the honour to inclose copy of the orders which I have issued on the subject, which I trust under the circumstances will meet with your Lordship's approval.

Every care has been taken to confine the expenditure to a minimum, and the scales of transport laid down are based on absolute military requirements only.

I did not perhaps explain sufficiently clearly in my covering letter to the 1899–1900 Estimates that troops, military officers and escorts for military rations and stores are continually on the move in each district; this is necessary owing to the peculiar character of the requirements of military service in this part of Africa, and for this reason it is essential that some transport be continuously available, and if possible it should be under systematic management.

I have given the question the most careful attention, and have gone into each detail of our requirements.

The number of military loads to be moved per annum from Kampala to the head-quarters of each district, Buddu, Ankole, Toro, Unyoro, and the Nile has been worked out and their cost per load estimated at current rates.

These loads are shown on the inclosed paper marked "B," and will be carried from Kampala to the head-quarter station of each district by Waganda porters hired temporarily, as at present, by the Military Transport Officer, Kampala, but the actual distribution of the loads to the various stations within each district, and the movements of officers and troops will be performed by the military transport section in the Nile and Road Districts, and by improvised transport, as at present, in the other districts where such transport is obtainable.

As I had the honour of pointing out in the body of my covering letter to the 1899–1900 Military Estimate, the establishment of a military permanent transport does not really add to the expense, as the same number of loads must be carried somehow during the course of the year, whether by a permanent organized transport or by an improvised one, and there is absolutely no chance of the former being idle at any time; in fact, the amount of permanent military transport I am now asking your Lordship to approve will not suffice for the whole of the internal military moves of the two districts, and it will have to be supplemented by any other arrangements which may from time to time be found practicable. But though small, it will be better than nothing, and it will have the excellent result of enabling at least one company with an adequate allowance of British officers, medical stores, and spare ammunition to be moved at a short notice, if necessary, which in both the districts referred to is a matter of grave importance.

In the Estimates for 1900–1901, which I am now engaged on, I hope that (irrespective of the saving on road transport which will be made next year owing to the production locally of the greater part of the ration requirements), unless the administrative area be greatly increased, a reduction of about 10,000*l.* on the Military Estimate for 1900–1901 will be possible; but while seeking out, reviewing, and cutting down every item on which a reduction can be made with safety, I do not see my way to dispensing with a limited number of military transport sections, which, in my opinion, form one of the indispensable items for next year, and which are equally necessary this year.

The distribution of the loads required for the Civil Administration purposes at the various stations, I have not so far alluded to, but I should perhaps mention, in this connection, that, as their number is trifling, their transport is not a matter of difficulty, and there is not the same necessity for urgency as may be the case when the movements of officers and troops are involved.

It is therefore unnecessary to make any special arrangements on their account.

I have, &c.
(Signed) TREVOR TERNAN.

Inclosure 1 in No. 34.

Extract of Regimental Orders by Colonel Trevor Ternan, D.S.O., Commanding Troops, Uganda Protectorate, September 1, 1899.

No. 206.—*Military Transport.*

OWING to the impossibility of improvising transport for military purposes in the Road Military District, off the main road, and in the Nile Military District, the Officers Commanding Road Military District and Nile Military District are authorized to maintain a permanent Swahili military porter transport section in their commands sufficient to move on the active service scale the following:—

2 European officers.
1 ,, N.C.O.
1 Medical officer.
1 Compounder and hospital.
1 Company complete.

The military transport sections will be formed into squads consisting of one duffedar and twenty porters.

Porters will be engaged for two years, at the following rates of pay:—

	Pay per Mensem.	Rations per Mensem.
	Rs.	Rs. a.
Duffedar	16	3 4
Porter	10	2 8

The undermentioned articles of clothing will be issued annually:—

1 Tarbush.
1 Blanket.
1 Pair putties.
1 Jersey.
1 Havresack.
1 Water-bottle.

The Officer Commanding the Road Military District will make his own arrangements to engage the porters required (from the coast), and the porters for the Nile Military District will be engaged as early as possible by head-quarters, and will be dispatched to Limogi as opportunity offers.

By order,
(Signed) H. J. MADOCKS, *Captain,*
Senior Staff Officer, Uganda Rifles.

Regimental Order of September 1, 1899.

No. 205.—*Scale of Transport.*

The following scales of transport are approved, and are published for general information (calculated in porters' loads of 60 lbs.) :—

SCALE (A).—FOR ORDINARY MOVES.

	Baggage.	Tentage.
British officer	36 loads	Includes tentage and servants.
British N.C.Os.	18 „	Ditto.
Native officers—		
Subadar and Yuzbasha	5 „	1 load.
Jemadar and Mulazim	4 „	1 „
Serjeant-majors	3 „ including bedding and great coats	10 men to 1 tent of U.R. pattern.
Havildars and sergeants	2 „	
Other ranks	1 load	
Hospital assistants and clerks	10 loads	Including tentage.
Compounders	8 „	Ditto.
Indian public followers	1 load (writers double)	Tentage same as privates.

SCALE (B).—FOR ACTIVE SERVICE.

	Baggage.	Tentage.
British officers	10 loads	Includes tentage and servants.
British N.C.Os.	8 „	Ditto.
Native officers	1 load	½ load.
Sergeant-Majors	⅓ „ For bedding and great coats, see company baggage	15 men to 1 tent of U.R. pattern, and 12 to 1 tent 1st battalion pattern.
Havildars and sergeants	Nil	
Other ranks	Nil	
Hospital assistants	4 loads.	
Compounders		
Clerks		
Indian public followers	¼ load (writers double)	Tentage same as privates.

SCALE OF COMPANY BAGGAGE FOR ACTIVE SERVICE.

	Porters.	
Quarter guard tent	1	(if company is detached).
Rear guard tent	1	„ „
Hospital tent	1	„ „
Entrenching tools	4	
Cooking pots	4	
Quartermaster's stores	2	
Medical stores, instruments, books	1	(if company is detached).
Stretcher bearers	12	„ „
Ammunition (reserve)	1	per box.
Great coats	1	per 12 coats.
Bedding (Indian troops)	1	per 3 men.
Or blankets (local troops)	1	per 12 men.
Spare	10	per cent.

These scales are to be considered as a maximum allowance, and it will be entirely at the discretion of the officer directing any move at any time to reduce the transport allowance if it appears to him to be necessary to do so.

The baggage of escorts to mails, prisoners, or transport should be reduced as much as possible, as also the baggage of officers or non-commissioned officers when on tour.

For permanent moves extra porters will, whenever required, be provided on payment for officers and men requiring them.

By order,
(Signed) H. J. MADOCKS, *Captain,*
Senior Staff Officer, Uganda Rifles.

Inclosure 2 in No. 34.

(B.)

SUMMARY of present approximate Annual Expenditure for Military Transport (Local).

Details.	Amount. £	s.	d.
1. Transport from Kampala to out-stations by hired porters as required, *vide* attached sheet (C)	6,760	0	0*
2. Permanent military transport sections in the Nile and Road Military Districts, *vide* attached sheet (D)	3,162	12	0
3. Additional improvised transport for emergencies, say ..	1,000	0	0
Total	10,922	12	0

* Next year, by growing food-stuffs at Masindi for the Indian battalion detachment stationed there, a saving of 1,250*l.* per annum will be effected.

(C.)

PRESENT approximate Annual Expenditure for Local Military Transport.

Details.	Number of Loads.	Cost per Load.			
		Rs.	a.	Rs.	a.
To Fadjao, for Nile Posts.					
Pay (trade-goods and specie)	900				
Quarter-master's stores (clothing, ammunition, &c.)	335				
Provision loads for officers and N.C.Os.	200				
Total	1,435	10	0	14,350	0
Cost of water transport on the Nile from Fadjao to stations, Wadelai and Dufilé (Canoe hire; steam-launch not at present available; steel boat practically worn out.)	..	..		37,980	0
To Masindi, for Unyoro Posts.					
Pay (trade-goods and specie)	640				
Quarter-master's stores (clothing, ammunition, &c.)	484				
Rations, Indian battalion (see remarks on sheet (B))	4,100				
Provision loads for officers and N.C.Os.	200				
Total	5,424	8	0	43,392	0
To Toru, for Forts Gerry and George.					
Pay (trade-goods and specie)	192				
Quarter-master's stores (clothing, ammunition, &c.)	67				
Provision loads for officers and N.C.Os.	24				
Total	283	8	4	2,335	0
To Ankoli (two Posts).					
Pay (trade-goods and specie)	192				
Quarter-master's stores (clothing, ammunition, &c.)	67				
Provision loads for officers and N.C.Os.	32				
Total	291	6	0	2,146	0
To Buddu (two Posts).					
Pay (trade-goods and specie)	192				
Quarter-master's stores (clothing, ammunition, &c.)	67				
Provision loads for officers and N.C.Os.	24				
Total	283	4	2	1,168	0
Grand total	..	..		101,371 = £6,760	0

(D.)

PERMANENT Military Transport.

Details.	Pay.	Rations.	Clothing.	Total Cost per Annum.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1 section—				
7 duffedars	89 12 0	..	..	..
140 porters	1,120 0 0	..	..	1,209 12 0
7 duffedars, at 39 rupees 140 porters, at 30 rupees	..	298 4 0	..	298 4 0
147 men, at 10*s*. each ..	..	..	73 10 0	73 10 0
Grand total	..	..	..	1,581 6 0
1 section in Nile Military District	..	..	..	1,581 6 0
1 section in Road District ..	..	..	..	1,581 6 0
Total	..	..	..	3,162 12 0

(E.)

SCALE "B" (Active Service). See copy of Regimental Order No. 205 of September 1, 1899.

Number.	Establishment.	Number of Porters each.	Total of Porters.
2	British officers	10	20
1	Medical officer	10	10
1	British N.C.O.	8	8
1	Compounder	4	4
2	Native officers	1½	3
1	Sergeant-Major	⅓	⅓
5	Sergeants	Nil	Nil
8	Corporals		
8	Lance-corporals		
6	Drummers and buglers.. ..		
94	Privates		
	Total personal baggage ..	..	45⅓
	Baggage of 1 company—		
	Quarter-guard tent	1	
	Rear-guard tent	1	
	Hospital tent	1	
	Intrenching tools	4	
	Cooking-pots	4	
	Quarter-master's stores	2	
	Medical stores	1	
	Stretcher bearers	12	
	Ammunition (reserve)*	26	
	Greatcoats	10	
	Blankets	10	
	Tents	10	
			82
	Total	..	128
	Add 10 per cent. spare	..	12
	Grand total	..	140

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* When necessary only.

No. 35.

Mr. Cave to the Marquess of Salisbury.—(*Received October* 30.)

(No. 170.)
My Lord,
Zanzibar, September 30, 1899.

I HAVE the honour to transmit herewith, with reference to your Lordship's telegram No. 63 of the 21st instant, duplicate copies of the Order which I have issued, after consultation with Mr. Cracknall, empowering importers to add to the price of contracts already concluded, but not yet executed, the amount of the import duty which has been recently reimposed. The wording of the operative clause of this enactment is taken, so far as it is applicable, from "The Indian Tariff Act, 1894."

The question was naturally one of the first that came up for discussion after the alterations in the Tariff had been publicly announced on the 15th September, and a few days after that event I received a Petition from all the British and the principal British Indian commercial houses in Zanzibar, followed by representations from most of the foreign Consuls, begging me to take whatever steps might be necessary in order to protect the importers from the serious losses which they would incur if they were obliged to pay a duty of 5 per cent. on goods for which they had already rendered themselves liable, and which they had ordered without making any provision for such an emergency. It was stated in this Petition, and I can myself remember that, in 1892, when Zanzibar became a free port, the importers had returned to the indenters the amount of the duty which had been included in the contract price, but which, when that system came into force, had not been exacted; the voluntary action of the merchants on that occasion had rendered unnecessary any litigation to protect the interests of the indenters, but the latter, now that the position was reversed, were in several instances refusing to come to a similarly equitable arrangement. It was further pointed out that the augmentation of the contract price by the amount of the new duty would, whilst saving the importer from a loss which could not otherwise be avoided, involve no hardship or injustice to the indenter, who could cover himself by retailing the goods at a higher rate to the consumer. Before submitting my proposal to your Lordship I had obtained the verbal consent of the Representatives of Treaty Powers, ys well as of His Highness' Government, to make the suggested enactment binding on all persons under their jurisdiction, and on receipt of your reply I obtained from them an official undertaking in writing to this effect. The American Consul alone refused to give me any assurance in the matter on the ground that he had no power to issue such an order, but he took a favourable view of it, and promised to submit the question to his Government by the first opportunity. From a practical point of view, the decision of the United States' Government is of no immediate importance, as the only American commercial house in Zanzibar confines its business almost entirely to the export of ivory and hides and a large wholesale trade in petroleum, and there are therefore no indenters of that nationality who would be affected by the inclosed Regulation.

The promulgation of the Regulation has given equal satisfaction to the British and foreign mercantile communities.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure in No. 35.

Notice.

WHEREAS, under the provisions of "The Zanzibar Order in Council, 1897," the Consul-General has power to make Regulations for the peace, order and good government of British subjects;

And whereas, by a recent enactment of the Government of His Highness the Sultan a duty of 5 per cent. *ad valorem* has, with the approval of Her Majesty's Government, been reimposed on all merchandize entering the port of Zanzibar, with certain specified exceptions;

And whereas certain contracts have been entered into but not yet executed, in which no allowance has been made for the payment of import duty;

It is hereby notified that in pursuance of the powers aforesaid the Consul-General has, with the approval of Her Majesty's Principal Secretary of State for Foreign Affairs, made the following

Regulation.

In the event of any import duty being imposed on any article after the making of any contract for the sale of such article without stipulation as to the payment of duty where duty was not chargeable at the time of the making of the contract, the seller may, if such duty is paid by him, add so much to the contract price as will be equivalent to such duty, and he shall be entitled to be paid, and to sue for and recover such addition.

(Signed) BASIL S. CAVE,
Acting British Agent and Consul-General.

Zanzibar, September 29, 1899.

Certified copy:
(Signed) BASIL S. CAVE.

No. 36.

Mr. Cave to the Marquess of Salisbury.—(*Received October* 30.)

(No. 172. Confidential.)
My Lord, *Zanzibar, October* 5, 1899.

I HAVE the honour to report that His Highness Aga Khan, after leaving Zanzibar on the 18th ultimo, proceeded on a short visit to Mombasa and some of the principal ports on the German Coast. I had previously informed the German Governor of His Highness' intention, and had ascertained that there was no objection on the part of the Imperial authorities to its fulfilment.

After spending two or three days at Dar-es-Salâm, where he was received with a good deal of ceremony, and where he was successful in settling one or two questions which had arisen between his followers and the Shia Thenasharia Khojas, Aga Khan finally left East Africa on the 30th ultimo on his way to Egypt.

Before leaving His Highness wrote to me privately with regard to the position and treatment of Indian traders in the German Colony, and, as his views on the subject may prove of some interest to your Lordship, as tending to show that there is not much foundation in fact for the complaints on this score that are made from time to time in the English and Indian press, I venture to inclose an extract from his letter herewith.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure in No. 36.

Aga Khan to Mr. Cave.

(Strictly Confidential.)
(Extract.) *September* 30, 1899.

WITH reference to the condition of the East Indian traders in German East Africa.

Before my visits to Kilwa Bagamoyo and Dar-es-Salâm I was inclined to the opinion that the Indian community were somewhat heavily and unfairly taxed, but after consideration and having gone carefully into the question I have found reason to alter that opinion.

Firstly, the East Indians (mostly brought up in Zanzibar, which is practically free from taxation) are unable to understand the differences, which must naturally obtain here, regarding taxes, and it is also difficult for them to discriminate between rates and taxes.

The German system in my opinion is absolutely fair, and I have mostly found while investigating complaints among the Indian community here that they have either been very frivolous, or easily explained and settled. The East Indian traders here must bear in mind that though somewhat more heavily taxed than in India, they are not nearly so much so, were they making the same income in Europe.

Moreover, I consider the want of knowledge (on the part of the East Indians here) of the German language and Government system is a great drawback to them. It would be excellent policy in the future, if greater facilities were afforded them of acquiring a better knowledge of the language and system of administration.

The East Indians have been too prone to expect the same conditions of life under the German rule that they were accustomed to in India, forgetting that those conditions are very different.

In conclusion, I have only to state that I am quite convinced that all difficulties must disappear as the East Indians realize the necessity of a somewhat different form of Government from that under which they have been brought up.

No. 37.

Mr. Cave to the Marquess of Salisbury.—(*Received October* 30.)

(No. 173.)

My Lord, *Zanzibar, October* 5, 1899.

I HAVE the honour to transmit herewith, with reference to my telegram No. 61 of yesterday's date, copies of correspondence which has passed between the Governor of German East Africa and myself with respect to the intervention of Seyyid Khaled-bin-Barghash, in a suit now pending in the Imperial Court at Dar-es-Salaam, between His Highness the Sultan and Suleiman-bin-Nassur, the Wali of that district.

I have instructed Mr. Dundas to watch and report on the proceedings, and to give any assistance that he properly can to the legal Representative of His Highness' interests.

I have, &c.

(Signed) BASIL S. CAVE.

Inclosure 1 in No. 37.

Mr. Cave to Major-General Liebert.

Sir, *Zanzibar, September* 6, 1899.

A REPORT has reached me that in an action now pending in the Imperial Court at Dar-es-Salaam, between His Highness the Sultan of Zanzibar and Sheikh Suleiman-bin-Nassur, with regard to certain matters connected with a portion of His Highness' mainland possessions, Seyyid Khaled-bin-Barghash has intervened on the ground that the property in question belongs to himself as son and heir of the former Sultan Seyyid Barghash. I am also informed that the hearing of Seyyid Khaled's application has been fixed for the 6th October next.

I have the honour to request that you will be so good as to inform me whether there is any truth in the above report, and if so, whether the application in question cannot be summarily dismissed. I would venture in this connection to refer you to the correspondence which passed between the Acting Imperial Governor and myself towards the end of 1896, and particularly to the letter addressed by Herr von Bennigsen to Sir A. Hardinge on the 23rd February, 1897, in which it was stated that the title of the reigning Sultan of Zanzibar to what are known as the Sultan's possessions on the mainland had been formally recognized by the Imperial Government, and that no further questions on the subject would be raised.

I may state at the same time that a large sum of money was paid to Seyyid Khaled in the reign of Seyyid Khalifa-bin-Saïd in full settlement of all his claims as a son of Seyyid Barghash.

I have, &c.

(Signed) BASIL S. CAVE.

Inclosure 2 in No. 37.

Herr von Nazmer to Mr. Cave.

(Translation.)

Sir, *Dar-es-Salaam, September* 24, 1899.

I HAVE the honour to reply as follows to your letter of the 6th instant.

According to an official statement furnished in pursuance of your request by the District Court at this place, it appears, as I had already heard by rumour, that Seyyid Khaled-bin-Barghash has intervened in the action now pending between His Highness the reigning Sultan of Zanzibar and the Wali of this place, Suleiman-bin-Nassur, with the contention that the estates in question are his property, and, further, that the conclusion of the verbal proceedings in the action has been fixed for the 6th October of this year.

Whether Seyyid Khaled's claim can be at once dismissed by the District Court depends on the decision of the Judge. As to how it will result I have at present nothing to do, nor does it appertain to me to interfere in this direction in any way whatever, either directly or indirectly, with the decision of the Court, for our Courts, with respect to their judicial decisions, are entirely independent and only subject to the law.

I must therefore beg you to cause the objections which are to be raised by the Government of His Highness the Sultan against Seyyid Khaled's claim to be submitted directly to the Court by those who are charged and fully empowered to legally represent His Highness in this matter.

With regard to the position of the Government in regard to the demands which have now again been made by Seyyid Khaled I will shortly furnish you with full particulars, with reference to the negotiations which took place here last year between Messrs. Alexander and Last and Drs. Stuhlmann and Solf.

I avail, &c.

(Signed) VON NAZMER.

Inclosure 3 in No. 37.

Mr. Cave to Governor of German East Africa.

Sir, *Zanzibar, October* 4, 1899.

I HAVE the honour to acknowledge the receipt of your letter of the 24th ultimo, in which you inform me that you cannot intervene in the matter of the claim that has been brought by Seyyid Khaled against His Highness the Sultan of Zanzibar in the Imperial Court at Dar-es-Salaam.

I have already had the honour to point out to you that the right of the Sultan to the enjoyment of His Highness' estates in German East Africa has been fully recognized by the Imperial Government, and that Seyyid Khaled has received a sum of 60,000 dollars, as well as certain lands and houses in full satisfaction of his claims against his father's estate.

I would now beg to draw your attention to the fact that the present claim of Seyyid Khaled, which amounts for all practical purposes to an action-at-law, is directed against the Sultan of Zanzibar, who, by international law and courtesy, should not, as a reigning Prince, be sued in a foreign Court. It has been held that if a foreign Sovereign himself institutes a suit in any local Court, he thereby submits to the jurisdiction of that Court as regards matters actually affecting that suit; but it can hardly be contended that His Highness by bringing an action in the German Court at Dar-es-Salaam to recover the rents of certain properties situated in that district, has thereby submitted himself to the decision of that Court with respect to his tenure of those lands. Seyyid Khaled's claim, if it can be put forward at all, should be made the subject of a separate action.

Seyyid Khaled is, moreover, a fugitive from justice, who, as a rebel and an outlaw, has forfeited any rights which he may have possessed to any property situated in, or belonging to, the Sultanate of Zanzibar.

At the time when he was removed to Dar-es-Salaam in 1896 from the German Consulate at Zanzibar, Baron von Marschall informed Her Majesty's Ambassador at Berlin that the Imperial authorities had obtained from him an assurance that he would not interfere in Zanzibar affairs, and it is, I venture to add, the obvious duty of a

No. 38*.

Mr. Cave to the Marquess of Salisbury.—(*Received October* 30.)

(No. 175.)

My Lord,

Zanzibar, October 6, 1899.

I HAVE the honour to transmit herewith, with reference to your Lordship's despatch No. 152, of the 26th July last, copy of a Notification which has been issued by the Government of His Highness the Sultan,* providing for the infliction of penalties for the contravention of the Regulations issued on the 30th June, 1897, for repressing the manufacture and use of fraudulent postage stamps.

The delay in the promulgation of this order is due to an impression, which I received from the wording of the second paragraph of your Lordship's despatch, that a special penal clause had been at some time added, without my knowledge, to the Fraudulent Postage Stamp Regulations for East Africa, and to the inquiries which I consequently addressed to Her Majesty's Acting Commissioner at Mombasa. It would appear, however, from Mr. Craufurd's reply, that the only step which has been taken in this respect since June, 1897, is the application to East Africa of "The Indian Stamp Act, 1879," which has to do with registration and other matters, but not with postage stamps. The penalties therefore imposed by the accompanying Notification have been assimilated to those provided for, under Article 45 of the East Africa Order in Council, in respect to any breach of Queen's Regulations made by Her Majesty's Commissioner and Consul-General.

I have, &c.

(Signed) BASIL S. CAVE.

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* Not printed.

State which grants an asylum to a refugee from another neighbouring and friendly State, to take care that the interests of the latter are not injuriously affected by any action which the fugitive may take so long as he is in the enjoyment of that asylum.

If it is not possible for the Government of German East Africa to stop the proceedings which Seyyid Khaled has taken in the Imperial Court, so far as the judicial action of that Court is concerned, it is at any rate open to them to prevent him from acting in distinct contravention of the assurance which he gave to them in 1896, and to restrain him from interfering in any way with the affairs of the Zanzibar Sultanate.

On the above grounds I feel compelled to enter a formal protest against the action of the Imperial authorities in allowing Seyyid Khaled to intervene in the action now pending between His Highness the Sultan and the Wali of Dar-es-Salaam.

I have, &c.
(Signed) BASIL S. CAVE.

No. 38.

Mr. Cave to the Marquess of Salisbury.—(Received October 30.)

(No. 174.)

My Lord,
Zanzibar, October 5, 1899.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 160 of the 17th August last, calling for any information which I may be able to give in regard to the statements made by the French Ambassador in London respecting the case of Selim bin Seif.

I regret that I am unable to comply with your Lordship's instructions by this mail, as Selim is at present in Pemba, and some of M. Cambon's statements cannot be verified without a reference to the person most directly interested. Selim was released from prison on the 16th June last, and at once applied for and obtained employment under the Zanzibar Government. He still maintains that he is a subject of His Highness the Sultan, and it is hardly probable, unless considerable outside pressure is brought to bear upon him, that he will risk the loss of his present occupation on the very slender chance of obtaining compensation for wrongful imprisonment.

I have, &c.
(Signed) BASIL S. CAVE.

No. 39.

Mr. Cave to the Marquess of Salisbury.—(Received October 30.)

(No. 177.)

My Lord,
Zanzibar, October 6, 1899.

I HAVE the honour to inclose herewith, in reply to your Lordship's despatch No. 167 of the 8th ultimo, copy of a Memorandum which has been drawn up by the First Minister of the Sultan's Government with regard to the proposals of the French Government respecting the imposition of light and harbour dues on shipping entering the port of Zanzibar.

Sir Lloyd Mathews shows that the proceeds of a universal charge of 1 anna per ton each for light and harbour dues will barely suffice, after allowing for the upkeep of the lighthouses, to pay interest at the rate of 3 per cent. per annum on the initial outlay, and strongly deprecates any further reduction.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure in No. 39.

Memorandum by Sir Lloyd Mathews.

WITH the completion of the Masuka lighthouse on Masuka Point, Pemba, of 175 feet in height, exhibiting a revolving light of the third-class of the latest pattern to show 20 miles, ships from the north and India will be able to approach Pemba at night in safety, whereas the danger at present without a lighthouse is great.

The "Chuini" (hulk) is ready as a light-ship, and will be anchored between the buoys in the English passage. This with the lighthouses of Ras Nungwe, Mwana Mwana, and Mangapwani, now in good working order, will make the approach from the north complete.

To the southward we are building a lighthouse on Chumbe Island, which should be ready by the end of the year.

Between the town anchorage and Chumbe we intend marking the southern passage by placing a red light of the fifth order on the present Kuingani pillar to show 10 miles, together with a 30-feet light mast, erected on a 10-feet base of masonry for the light showing below the pillar light; when the buoys in the passage are rounded the Chumbe light astern and harbour lights from ships, and the town, will be a safe guide to bring vessels in to their anchorage. To the southward of Chumbe we propose building a lighthouse on Kizimkazi and on Latham Island.

To this end, for the safety of all vessels of every nationality entering Zanzibar waters, we shall require assistance in the form of light and harbour dues for the upkeep of staff necessary for attending the lights, buoys, stores, food, oil, &c. The lighthouses from first to last, when finished, will have cost the Zanzibar Government over 30,000*l.*, and taking the upkeep, monthly inspection, visits, &c., at not less than 1,000*l.* yearly, we are not asking an unfair percentage on the money laid out when we stated that our charge of 1 anna per ton for light dues and 1 anna per ton for harbour dues would recompense the Government in a small way for all its expenditure and responsibility.* The dues at 1 anna per ton for lighting and 1 anna for harbour dues would bring in about 2,000*l.* yearly, out of which we should have to expend 1,000*l.* in upkeep; the balance of 1,000*l.* would be chiefly employed in miscellaneous and incidental expenses, such as bettering of lights, breakages, boats, &c. This shows that we would probably have a return of barely 3 per cent. on our capital and yearly outlay. I therefore think that we should ask 1 anna light dues per ton on all sea-going steamers, and 1 anna harbour dues, and say half-an-anna per ton respectively on coasting steamers which visit only German East Africa, British East Africa, and Benadir ports. The above is exclusive of a subsidy from Her Majesty's navy and other navies.

One of the principal merchants here whom we have consulted states that "so much per ton should be charged on each voyage, or rather each time of passing through. I do not think so much per year would be fair, as it would be hard to get at an average due by each Company. Much better to do it ship by ship according to tonnage register."

The above is, in my opinion, far more workable and just than any other scheme; any rate less than the above means loss to the Government.

(Signed) LLOYD WM. MATHEWS.

Zanzibar, October 5, 1899.

No. 40.

Acting Commissioner Craufurd to the Marquess of Salisbury.—(Received October 30.)

(No. 149.)

My Lord, *Mombasa, October* 4, 1899.

I HAVE the honour to report, under Article 78 of the Native Courts Regulations, 1897 (1315), that I have given an order under Article 77 that two Somalis, named Elmi Mahomed and Fara Duffa, should be removed from Kismayu to Mombasa, and forbidden to return to Jubaland for one year, for being disaffected towards, and intriguing against, the Government of the Protectorate.

These men are at large in Mombasa, under the supervision of the Assistant Superintendent of Police.

Copies of Mr. Farrant's despatches explaining the reasons for this step are herewith transmitted for your Lordship's information.

I have, &c.

(Signed) CLIFFORD H. CRAUFURD.

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* Sea-going ships' tonnage for 1898 equals 286,209 ; coasting vessels, 10,635 tons ; men-of-war tonnage not taken.

Inclosure 1 in No. 40.

Sub-Commissioner Farrant to Acting Commissioner Craufurd.

(No. 53.)

Kismayu, July 22, 1899.

Sir,

I HAVE the honour to report the following Herti Somalis: Fara Duffa (Omar Mahmound tribe) and Elmi Mahomed (Lel Karsa).

These two men have caused Sultan Shurwa Ismaïl and Sheikh Ali Nahar considerable annoyance in constantly refusing to obey their orders, secretly intriguing with their own and other tribesmen against the Government, and seeking to undermine the authority of these two Chiefs, who, as you are aware, are loyal and trusted subjects of the Government. Sultan Dhurwa and Sheikh Ali Nahar having failed by every means in their power to dissuade these two men from making mischief, reported them to me.

They were called by me to the Office, and on being questioned, boldly stated that they refused to aecognize or subordinate themselves to the Elders.

I was therefore obliged to have them imprisoned, as there were other Hertis who were inclined to listen to the evil counsels of these men, notably the Warsengli and Omer Mahmound.

The prisoners, I am informed, never attended the Baraza of the Elders, but used to go to Adam Musa's house to make their shauris with other Hertis, and had they not been imprisoned, I have no doubt would have caused trouble sooner or later.

After the imprisonment of these two disaffected persons the two important Chiefs, Ismaïl Dubhau and Osmand Killidool, rose up in Baraza and professed entire submission to the Sultan and Sheikh Ali Nahar.

To avoid any disloyalty in future among the Somalis in this province, I would propose, with your consent, that these two men, Fara Duffa and Elmi Mahomed, be sent down to Mombasa, and not be permitted to return to Jubaland for at least one year, they having committed an offence punishable under Article 77 of the Native Courts Regulations, 1897.

I have, &c.
(Signed) R. G. FARRANT.

Inclosure 2 in No. 40.

Sub-Commissioner Farrant to Acting Commissioner Craufurd.

(No. 62.)

Kismayu, September 2, 1899.

Sir,

I HAVE the honour to acknowledge the receipt of your despatch No. 30 of the 15th August. The two political prisoners, Fara Duffa and Elmi Mahomed, are being sent to Mombasa with instructions that they must not return here under a year.

During their imprisonment they have expressed no regret for their past behaviour, therefore, I am compelled to send them out of this province, where, as you are aware, there are always numbers of mischief-makers who might be inclined to follow their evil ways, and so cause us considerable trouble. I may add that since these men were arrested there has not been any trouble with the Hertis, nor have the Chiefs had cause for any further complaints.

I have, &c.
(Signed) R. G. FARRANT.

No. 41.

Viscount Gough to the Marquess of Salisbury.—(*Received October* 30.)

(No. 92. Africa.)

Berlin, October 26, 1899.

My Lord,

WITH reference to your Lordship's despatch No. 112, Africa, of the 21st August last, I have the honour to inform your Lordship that I have now received a note from the German Secretary of State for Foreign Affairs, in which his Excellency states that the German Government concur in the proposal made by Her Majesty's Government that the Conference for the protection of wild game in Central Africa should meet in the first week of January next.

I have, &c.
(Signed) GOUGH.

No. 42.

Intelligence Division to Foreign Office.—(*Received October* 31.)

THE Director of Military Intelligence presents his compliments to the Under-Secretary of State for Foreign Affairs, and, in reference to the correspondence quoted in the margin,* has the honour to state that, according to the under-mentioned authorities, viz. :—

1. Colonel Macdonald's Map of Uganda Protectorate and countries to the north (1897–99), now in course of reproduction by the Intelligence Division,
2. Justus Perthes' Map (1897). Ost Afrikanische Schutzgebiet,
3. P. Krauss' Map (1896). Spezialkarte v. Deutsch Ost Afrika,

the latitude of Kakuto, in Northern Kibumbiro, is 51′ south.

It is therefore 9 geographical miles to the British side of the parallel of 1° south, which constitutes the British boundary.

Colonel Ternan's statement that Kakuto lies 8 miles north of the boundary is therefore more than borne out by these authorities.

The present moment is not propitious for proposing a Boundary Commission, and Sir John Ardagh would suggest that an endeavour should be made to induce the German Government to accept provisionally the position of Kakuto as 51′ south, and to instruct their local Representative, in concert with ours, to lay out an east and west line, or such points on it as may be requisite, 9 geographical miles to the south of Kakuto as a provisional boundary. This would be quite within the capacity of an officer with a moderate acquaintance with surveying.

18, *Queen Anne's Gate, London,*
October 28, 1899.

No. 43.

Mr. Cave to the Marquess of Salisbury.—(*Received November* 4.)

(No. 66.)
(Telegraphic.) P. *Zanzibar*, *November* 4, 1899.

WITH reference to your Lordship's telegram No. 69: Quarantine stations.

In order that we may know exactly what we can expend on enlarging and improving the station, it is, in my opinion, very desirable to settle the question at once on a definite basis.

The Foreign Office scheme makes no allowance for cost of buildings erected up to date or of island, and we could not, with justice, ask Zanzibar Government to accept it.

Zanzibar Government, in deference to your Lordship's views, have now consented to accept on the initial outlay 5 instead of 10 per cent., which reduces the yearly expenditure to 2,155*l*.

This will not compensate them for the loss of their health resort and prison, which will have to be provided elsewhere; in fact, it will barely pay expenses.

No. 44.

The Marquess of Salisbury to Viscount Gough.

(No. 154. Africa.)
My Lord, *Foreign Office, November* 4, 1899.

WITH reference to my despatch No. 135, Africa, of the 26th September last, respecting supposed German encroachments in the district of Kibumbiro in Uganda, I transmit, for your information, a copy of a despatch on the subject from the Acting-Commissioner and Consul-General for that Protectorate,† which confirms his telegram.

You will see from the inclosed copy of a note from the Director of Military

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* See Part LIX, No. 120*; and *infra*, No. 118.

† No. 23.

Intelligence,* to whom the matter was referred, that Kahuto, to which Colonel Ternan specially alludes, appears to be 9 geographical miles to the British side of the boundary. You should communicate this statement to the German Government, and express the hope that, in view of the evidence of it adduced in the note from the Intelligence Division, they will provisionally accept the position of Kahuto as 0° 51′ south.

You should also ask whether they will agree to identic instructions being sent out, to the local British and German authorities to lay out in concert an east and west line or such points on it as may be requisite, 9 geographical miles to the south of Kahuto as a provisional boundary.

I am, &c.
(Signed) SALISBURY.

No. 45.

The Marquess of Salisbury to Mr. Cave.

(No. 70.)
(Telegraphic.) P.
Foreign Office, November 8, 1899.

YOUR telegram No. 66: Zanzibar quarantine station.

What revenue has hitherto been received from Prison Island? What price was paid for it?

Her Majesty's Government cannot pay high rate of interest on funds obtained on their credit.

No. 46.

Foreign Office to Board of Trade.

Sir,
Foreign Office, November 8, 1899.

I AM directed by the Marquess of Salisbury to transmit to you, to be laid before the Board of Trade, a copy of a despatch respecting the proposed light and harbour dues at Zanzibar,† which has been received from the Acting British Agent and Consul-General there, and which criticises the suggestions recorded in Sir. E. Monson's despatch sent to you on the 8th September last.

Lord Salisbury would be glad to learn the opinion of the Board as to whether it would be fairer and more in accord with practice to adopt the French plan of a limited number of payments in the year by each ship or company, and at the same time to raise the rate, or to keep to the rate originally proposed and endeavour to persuade the French Government to abandon their proposal of limiting the number of payments. Mr. Cave's despatch shows that the Government of Zanzibar considers that it cannot adopt the French proposal as it stands, because it would not produce sufficient revenue for maintaining the lights and for paying interest on capital expenditure.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 47.

Mr. Cave to the Marquess of Salisbury.—(Received November 9.)

(No. 67.)
(Telegraphic.) P.
Zanzibar, November 9, 1899.

YOUR Lordship's telegram No. 70: Quarantine station.

Island was purchased for 400*l.* No actual revenue is derived from it, but health resort and prison will have to be provided elsewhere. Existing buildings were erected out of Zanzibar revenues at a cost of 7,000*l.*, many years before loan was contemplated, leaving only 4,700*l.* to be paid with funds raised on security given by Her Majesty's Government.

Under these circumstances, and considering local value of money, Zanzibar Government submit that 5 per cent. is not a high rate of interest to ask, but any proposal which you may make on the lines suggested by them will have their most favourable consideration.

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* No. 42.

† No. 39.

No. 48.

Church Missionary Society to the Marquess of Salisbury.—(Received November 10.)

My Lord Marquess, *Salisbury Square, London, November* 8, 1899.

I HAVE the honour to acknowledge due receipt of the Foreign Office letter of the 20th ultimo, suggesting that we should submit a statement of the grounds on which the missionaries of this Society claim compensation for the loss of their property during the late mutiny in Uganda.

The personal effects of one of the missionaries at Usoga were stored in the fort at Lubwa's, and of course all were looted by the Nubians, value 134*l.* Those belonging to the other missionary were also looted, value 18*l.* Some property of the Society there met the same fate.

In the rebellion of July 1897 at Budu, the missionaries lost their tents and other effects, value 42*l.*

When the Kasaka Station was destroyed by the Uganda rebels, our missionary's loss was ascertained to have been 303*l.*

Trusting that these particulars may be sufficient to indicate to your Lordship the grounds of the claims of our missionaries to compensation, I have, &c.

(Signed) D. MARSHALL LANG, *Lay Secretary.*

No. 49.

Treasury to Foreign Office.—(Received November 11.)

Sir, *Treasury Chambers, November* 9, 1899.

THE Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 4th ultimo, with inclosures, on the subject of the proposed lease to Mr. Rule of certain of the pearl fisheries off the coast of the East Africa Protectorate, and I am now directed to return to you the draft lease (marked II) which has been revised on behalf of the Secretary of State for Foreign Affairs by the Treasury Conveyancing Counsel.*

With reference to the paper inclosed in your letter showing the much more favourable terms obtained by the Zanzibar Government from Messrs. Lavine Brothers, of Johannesburg, who were competitors with Mr. Rule for a lease of the pearl fisheries in Zanzibar and Pemba waters, I am to state that my Lords presume that no better offer than that of Mr. Rule could be obtained for the fisheries off the coast of the East Africa Protectorate.

The original inclosures to your letter are returned herewith.

I am, &c.

(Signed) FRANCIS MOWATT.

No. 50.

The Marquess of Salisbury to Viscount Cromer.

(No. 79. Africa.)

My Lord, *Foreign Office, November* 11, 1899.

I HAVE received your Lordship's despatch No. 6, Africa, of the 16th ultimo, inclosing the draft of an Ordinance for regulating the killing, hunting, and capturing of game in the territories which are under the control of the Governor-General of the Soudan.

The draft appears well calculated to meet the objects in view. Experience may show the expediency of modifications in certain details, but as it is of importance that an effective game law should be in force before the Soudan is thrown open, it is not necessary to delay its issue for further criticism.

The following remarks may, however, be of use to the framer of the law.

In section 2 (6) beaters and other assistants are included under the licence held by their employer. It might be provided that they should not actually take part in the killing of animals, and they should not be employed for the purpose of battues entailing great indiscriminate slaughter.

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* Not printed.

The provision of section 6 that immature animals and females should not be killed is good of itself, but difficult of execution in the case of animals where the distinctive marks of sex are not easily seen at long distances.

Section 10, which provides that holders of a licence to kill elephants, rhinoceros, giraffe, and buffalo should furnish an annual account of what they kill is distinctly useful and might be applied to all animals.

A similar provision, including all game, will be brought into effect in Uganda and other Protectorates under this Department.

The Law is entitled "An Ordinance for regulating the killing, hunting, and capturing of game," but it contains no definition of "game" such as that given in the East Africa and Uganda Regulations. Nor does the draft in any way protect birds.

The section 8 (*b*), which allows the killing without a licence of wild animals in reasonable quantities for purposes of food by persons on a journey is one which is liable to considerable abuse, and unless altered should be very carefully watched.

I should be glad to receive periodical reports of the working and effect of the Law as issued.

I am, &c.
(Signed) SALISBURY.

No. 51.

Circular addressed to Her Majesty's Representatives at Paris, Rome, Constantinople, Cairo, Lisbon, Madrid, Brussels (for Congo Free State).

My Lord,
Sir,

Foreign Office, November 11, 1899.

HER Majesty's Government have for some time past been in communication with the Government of Germany as to the best methods to be adopted for the preservation of the wild animals, birds, and fishes in the African Continent.

The two Governments have agreed that it would be desirable to establish the principles to be followed, on the subjoined bases:—

1. The prohibition of the killing of wild animals under one year old and females with their young, except noxious animals and beasts of prey.
2. The creation of reserves within which it shall be unlawful to hunt, capture, or kill any wild animal or bird not excepted from protection under 1.
3. The prohibition of wholesale trade in the hides, skins, horns, and tusks of wild animals, and in the skins and plumage of birds.
4. The prohibition of the use of dynamite or other explosives and of poison in streams, lakes, or ponds, for the purpose of taking fish.
5. A close season for certain kinds of animals and birds, and the complete protection of some kinds.
6. The prohibition of export of elephant's tusks of less than 10 lbs. weight, and the imposition of a higher rate of duty on tusks between that weight and 30 lbs. than on those above 30 lbs.
7. The introduction of a system of licences to individuals, not natives, desiring to kill, hunt, or capture wild animals, birds or fishes, and of tribal or other licences to natives.
8. The rigorous enforcement within the zone to which the Act will apply of a strict supervision over the sale of fire-arms and ammunition.
9. The zone to which the Act shall apply to be that defined in Article VIII of the General Act of the Brussels Conference of 1889–90, except that its southern limit shall be the northern boundary of the German possessions in South-Western Africa from its western extremity to its junction with the River Zambezi, and thence the right bank of that river to the Indian Ocean. The Act to apply also to Madagascar and the Aldabra Islands.

Her Majesty's Government, in accord with that of Germany, propose that Representatives of the different Powers, which by virtue of their African possessions are interested in the question, should meet in Conference at London in the first week in January next to endeavour to arrive at an agreement on the bases above enumerated.

I have to request you to ascertain and report to me whether the Government is disposed to take part in the proposed Conference.

A similar invitation has been addressed to the Governments of .

I am, &c.
(Signed) SALISBURY.

No. 52.

The Marquess of Salisbury to Viscount Cromer.

(No. 80. Africa.)

My Lord, *Foreign Office, November* 11, 1899.

THE accompanying papers show the steps which are being taken by Her Majesty's Government to summon a Conference in London to discuss the best methods of preventing the indiscriminate slaughter of wild animals in Africa.*

I should be glad to learn whether the Egyptian Government would wish to take part in such a Conference, in which the position of their Delegates would presumably be the same as at the Venice Sanitary Conference in 1892: that is to say, they would have a consultative voice only, and would form a part of the Turkish representation should the Ottoman Government agree to take part in the Conference.

I am, &c.
(Signed) SALISBURY.

No. 53.

The Marquess of Salisbury to Viscount Gough.

(No. 160. Africa.)

My Lord, *Foreign Office, November* 11, 1899.

WITH reference to your Lordship's despatch No. 92, Africa, of the 26th ultimo, I transmit herewith, for communication to the German Government, a copy of a Circular despatch† which I have addressed to Her Majesty's Representatives at the Courts of the several Powers having possessions in the portion of Africa situated between the 20th parallel of north latitude and the Zambezi and Cunene Rivers, inviting them to take part in a Conference at London in January next, for the consideration of measures for the protection of wild animals, birds, and fishes in Africa.

I will keep your Lordship informed of the replies which may be received to the invitation. A list of the Powers to whom it has been addressed is inclosed, and should an agreement be arrived at it would be proposed to obtain the adhesion of Abyssinia, Zanzibar, and Liberia.

I am, &c.
(Signed) SALISBURY.

No. 54.

Foreign Office to Sir H. Johnston.‡

(No. 226.)

Sir, *Foreign Office, November* 11, 1899.

I AM directed by the Marquess of Salisbury to request that you will issue a Regulation calling upon all holders of game licences in the Protectorate to furnish, under penalties in case of non-compliance, Returns of the numbers, sex, and species of game killed by them under their licences.

Where you have any reason to suppose that a licence has been misused, you will report to this Department before renewing it.

I am, &c.
(Signed) FRANCIS BERTIE.

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* Nos. 51 and 53. † No. 51.

‡ Also to Sub-Commissioner Craufurd (No. 190), and Commissioner Sharpe (No. 203).

No. 55.

Foreign Office to Colonial Office.

Sir, *Foreign Office, November* 11, 1899.

WITH reference to your letter of the 13th March last, marked Confidential, I am directed by the Marquess of Salisbury to state to you, for the information of the Secretary of State for the Colonies, that the German Government have intimated that the first week in January next will suit them for the meeting of the International Conference on the protection of game in Africa, and the invitations, of which copies are inclosed,* have accordingly been issued.

The limitation of the zone affected by the proceedings of the proposed Conference to the north of the Zambezi will remove the difficulties indicated in your above-mentioned letter of the possible participation of Her Majesty's Colonies south of that river, but Mr. Chamberlain will no doubt consider whether any representatives of the South African Company, as interested north of the Zambezi, or of the West African Colonies should attend either as Delegates or merely to give information if required. In the former case the Delegates would occupy a position similar to that held by the Colonial Office Representative at the recent Liquor Conference at Brussels.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 56.

Foreign Office to Sir A. Hardinge.

Sir, *Foreign Office, November* 13, 1899.

I AM directed by the Marquess of Salisbury to transmit to you the telegraphic correspondence, as marked in the margin,† with Mr. Cave as to the proposed quarantine station on Prison Island in Zanzibar Harbour. His Lordship is not prepared to agree that Her Majesty's Government should pay a higher rate of interest on money obtained through their credit than that at which it is lent to the Zanzibar Government, but he would not object to paying interest at that rate. Say that the money is obtained at 3 per cent., the annual amount due on the capital of 11,700*l.* expended by the Zanzibar Government would be 351*l.*, which is 151*l.* more than was contemplated in the scheme prepared at this Department.

You should lose no time on your arrival in Zanzibar in settling this question on the lines suggested by the Foreign Office Committee, viz., a sufficiency of buildings and necessaries for any probable requirements, and a skeleton staff capable of enlargement at short notice in case of need.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 57.

Mr. Cave to the Marquess of Salisbury.—(Received November 16.)

(No. 180.)
My Lord, *Zanzibar, October* 10, 1899.

I HAVE the honour to transmit herewith a translation, which I have received from Her Majesty's Vice-Consul at Dar-es-Salam, of certain Plague Regulations which have recently been issued by the Governor of German East Africa.

I am forwarding a copy of these Regulations to the Government of Bombay.

I have, &c.
(Signed) BASIL S. CAVE.

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* No. 51.

† Nos. 43, 45, and 47.

Inclosure in No. 57.

Plague Regulations.

(Translation.)

WHEREAS it appears that Indians and other Asiatics arriving from plague-stricken countries, in order to evade the disinfection of their household goods and wares, give false information in regard to the country of original embarkation, landing at Mombasa or Zanzibar, and there shipping again by boat, steam-ship, or dhow, in order that they may arrive in German territory, without being subject to the disinfection of their belongings. And whereas this is a source of great peril to the territory, inasmuch as the plague can the more easily be brought in, it is hereby decreed that the above danger shall be met by the following Regulations:—

Asiatics (Indians, Goanese, Persians, Arabs, Beloochis, Chinese, &c.) arriving by sea in German territory, are required to produce a proof of the land of original departure, from some German district officer, Custom-house official, or a German or foreign Consular officer. Failing to do so, they shall be treated as arriving from plague-stricken countries, and their household goods, baggage, &c., will be disinfected according to Inclosure No. 2 of Circular No. F 3212 of the 5th May, 1898, especially in cases where the articles are those mentioned in Circular No. F 2144 of the 3rd May, 1897.

Whether such people shall be liable to further control and observation will be according to circumstances. Circular No. F 3212 of the 5th May, 1898, Inclosure No. 2, specifies the particulars in regard to the above. As it is impossible because of existing circumstances to provide quarantine and disinfecting stations at all the ports, it is hereby decreed that permission will only be given to land at Tanga and Dar-es-Salam to people arriving from plague-stricken countries, or those without a certificate showing the land of their origin.

Only those, after receiving a certificate to the effect that their goods have been disinfected, and all necessary Regulations complied with, will be allowed to proceed into other parts of the territory, or visit different ports.

Asiatics arriving by sea with household goods and wares, not having observed the above Regulations, will be required to return immediately on board with the same, and proceed to Dar-es-Salam or Tanga. If this is not possible, and disinfection is deemed necessary, there being no facilities for disinfecting goods, the same are to be destroyed by fire.

No damages can on this account be claimed. Exceptions may be made in cases where the emigrant is personally known to the official supervising the disinfection, and if he is of opinion that the owner and his wares have not arrived from a plague-infested country, the responsibility for permission to land rests then entirely on the official in question.

In every case of disinfection, whether it concerns an Asiatic or European, &c., the officer superintending the same is permitted to charge a fee from ten rupees, and not to exceed twenty-five rupees. Officers and Government officials of the Colony, as also the Imperial navy, are exempt from payment.

(L.S.) (Signed) LIEBERT,
Imperial Governor.

Dar-es-Salam, September 2, 1899.

No. 58.

Mr. Cave to the Marquess of Salisbury.—(Received November 16.)

(No. 182.)

Zanzibar, October 11, 1899.

My Lord,

WITH reference to my despatch No. 170 of the 30th September last and to previous correspondence on the subject of the reimposition of import duties at this port, I have the honour to transmit herewith copies of three letters which have been addressed to the Collector of Customs by the mercantile community of Zanzibar, asking that certain details in connection with transhipment, storage, and other matters should be reconsidered. Copies of these letters were at the same time forwarded to me by the British section of the community, with the request that I would give my support to the modifications which they advocated.

A Committee, including representatives of every nationality, was subsequently selected to meet and confer with the Collector of Customs on the various questions to which the abolition of the free port system had given rise, and, as a result of their deliberations, the Regulations have been revised in a manner which, it is hoped, will at one and the same time encourage local enterprise and prevent the loss to this port of the greater portion, at any rate, of its transhipment trade.

The following arrangements have been made with regard to goods in transit. They must be declared for transhipment within forty-eight hours of their arrival, and, if so declared, will be subject to a consolidated charge amounting to double the present wharfage rate, and including three months' free storage; after three months, rent will be charged for each week or part of a week at the rate of half the present charge for warehousing. Goods declared for transhipment and subsequently removed for local consumption will become liable for warehouse rent for the whole period during which they have been lying at the Custom-house at half the ordinary rate. Goods intended for transhipment may, if it is preferred, be removed into town and stored in the importers' own warehouses on payment of the fully duty, and will, if they are subsequently re-exported within twelve months of their arrival, and in their original cases, which will be stamped at the Custom-house when they are removed, be subject, as in Bombay, to a rebate of 87½ per cent. of the duty which they paid on entry. This concession has been made on the earnest representations of the mercantile community, but the warehousing tariff has been drawn up so carefully and so moderately that there is every reason to anticipate that the merchants, finding that the Customs charges amount to really less than the cost of removing their goods and storing them in their private godowns, in addition to paying 12 per cent. on their dutiable value, will, as the leases of their own stores fall in, be brought to avail themselves of the Government bonded warehouses. The Treaty stipulation that the port of ultimate destination of goods landed in transit must be declared at the time of their arrival has been waived, on the understanding that no further objections are made to the wharfage tariff.

The ordinary wharfage rate charged on goods imported for local consumption will cover seven days' free storage, after which the usual warehouse rent will become payable.

Kerosene oil will be stored under the same conditions as before, and will only become liable to duty as it is removed into town. If it is re-exported direct from the Government godowns, no duty will be charged.

The following articles have been added to the list of those which can be imported duty free: beeswax, colombo-root, copra, gum arabic, gum copal, gunny-bags, hides, orchilla-weed, shells, simsim, and skins.

Some slight alterations have been effected in the present warehouse tariff, a revised edition of which, together with the whole of the Customs Regulations now in force, will be printed and published in an official form as soon as possible.

The last inclosure to this despatch will show your Lordship that the various changes which I have enumerated have met with the unanimous approval of the mercantile community.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure 1 in No. 58.

Messrs. Boustead, Ridley, and Co., and other Firms to Mr. R. V. Coster.

Zanzibar, September 19, 1899.

Sir,

WE, the undersigned merchants of this port, have the honour to inform you that at a meeting held this morning it was unanimously resolved that a letter should be addressed to you, as Collector of Customs, requesting you to respectfully urge upon the First Minister of His Highness the Sultan's Government the advisability of considerably modifying the Regulations published in the supplement to the "Gazette" of the 15th instant dealing with the imposition of duty, and especially with cargo landed in Zanzibar for ultimate transhipment to other ports.

It was suggested that the following modification should be asked for, viz.:—

That a revised and complete list of goods free of duty should be printed.

That goods landed in Zanzibar for ultimate transhipment to other ports be stored free of rent for a period of at least three months, and that consignees be permitted to declare the port of destination at any time during the period of free storage.

That a tariff of the rent to be charged after the period of free storage should be submitted to the mercantile community.

In support of these requests we would state that at the present time Zanzibar is the centre of a very large transhipment trade, which trade, should the new Regulations as printed in the "Gazette" of the 13th instant be enforced, will, we fear, be driven elsewhere, a result which would not only entail heavy losses on the Signatories to this Petition, who have large vested interests in this city, but also, we venture to think, would be most detrimental to the interests of the Government of His Highness the Sultan.

We trust that you will kindly represent these expressions of opinion to the First Minister, and point out that we in no way wish to obstruct the Government, but rather to uphold and protect the welfare of the port, in which we have such large mercantile interests.

The meeting also appointed a Committee of five members, composed of Messrs. Poucel, Oehlerking, Kaikobad, Dinshaw, P. F. de Souza, and Nicol, to discuss the various suggestions with you, should you desire to do so, and to report to the various firms interested.

We have, &c.
(Signed) BOUSTEAD, RIDLEY, AND Co.
(And 26 other Firms.)

Inclosure 2 in No. 58.

Mr. W. J. W. Nicol to Mr. R. V. Coster.

Sir, *Zanzibar, September* 22, 1899.

I HAVE the honour to inform you that a meeting of British Indian merchants was held this morning, at which I was asked to preside.

The meeting unanimously indorsed the letter written to you by the European community on the 19th instant regarding Transhipment Regulations, and requested me to write to you to that effect.

A Resolution was also passed to the effect that the First Minister of the Zanzibar Government be petitioned to grant to merchants the option of paying duty on goods intended for transhipment, and removing them to their own godowns, a rebate of 87½ per cent. of the duty to be made when the goods are re-exported, the same as is done in India.

The meeting also appointed the following gentlemen to form a Committee to represent them, and to amalgamate, if possible, with the European Committee:—

Sheriff Dewji, Mohamedbhoy Ebrahim, Mohamedbhoy Hooseinbhoy, Volubdas Kalian, and Remtulla Allarakia.

The signatures of those present at the meeting is attached hereto.

I have, &c.
(Signed) W. J. W. NICOL.

Inclosure 3 in No. 58.

Messrs. Boustead, Ridley, and Co. and other Firms to Mr. R. V. Coster.

Sir, *Zanzibar, September* 26, 1899.

REFERRING to the interview which you were kind enough to accord us on the 23rd instant relative to the transhipment trade of this port, and at which we pointed out to you the importance of this trade, we have the honour now in support thereof to lay before you some figures bearing on the subject which have been drawn up by Mr. Poucel, and which will doubtless be of interest to you.

The following facts with regard to the imports and exports of Zanzibar, and the probable effect of the reimposition of duty on all imports, unless very wide facilities for transhipment of goods are allowed, may be interesting.

From the official Report published in the "Zanzibar Gazette" we take the following figures:—

In 1897 the general imports from Europe, America, and Asia (which includes all the imports with the exception of the produce of Africa) amounted to—

	Rupees.
In 1897	14,000,000
„ 1898	14,238,000
Making a total of	28,238,000

	Rupees.	
In 1897 the exports to His Highness' dominions, British East Africa, Italian Coast, German and Portuguese Colonies, and other African ports, amounted to		11,330,000
Of which exports to German ports were ..	6.382,000	
And to other African ports not belonging to His Highness or to British East Africa Protectorate	1,354,000	
In 1898 the exports amounted to		14,710,000
Of which exports to German ports were ..	7,150,000	
And other ports	1,236,000	
Making a total for the two years 1897–98 of	16,122,000	26,040,000

From the foregoing it will be observed that the imports of non-African goods during the two years 1897–98 were..	28,238,000
whereas exports amounted to	26,040,000
and included in same are goods on which duty is levied, and which is not refunded, amounting to	16,122,000

The proportion of goods exported to ports on which there is no refund, *i.e.*, the German and Portuguese ports, &c., amounts to nearly 60 per cent. of the general import trade of our port (excluding the produce of Africa).

From these figures it will be observed that the actual consumption of imports of manufactured goods—the imports from Europe, Asia, and America—in Zanzibar only, apparently amounts to about 1,100,000 rupees per annum, a very low figure. This, however, is not correct, as the value of goods according to Import Declaration is on price landed in the Custom-house, whereas the Export Declaration value is increased by the various charges incurred in delivery, commissions, repacking, &c.

The exports to Mombasa, which in the first half of 1898 amounted to 1,947,000 rupees, only amounted in the first half of 1899 to 1,647,000 rupees. Although with the famine an increase rather than a decrease might have been expected. Thus showing that direct importation into Mombasa is rapidly increasing.

In like manner the exports to the German and Portuguese ports will also gradually decrease, probably more so than in the case of Mombasa and the other British East Africa Protectorate ports where the duty is refunded on exports to these ports, as traders will be attracted to the German and Portuguese ports, and will order their goods direct instead of through Zanzibar as formerly, thereby saving the 5 per cent. duty levied here, and which is not refunded on exports to German and Portuguese ports.

This would be very prejudicial to Zanzibar, and would benefit the German and Portuguese Colonies greatly.

It should also be mentioned that very large godowns are now being built by the Germsn authorities in Dar-es-Salaam for the reception of transhipment goods, and we understand that in order to attract trade very special facilities will be given.

We have, &c.
(Signed) BOUSTEAD, RIDLEY, AND Co.
(And 26 other Firms.)

Inclosure 4 in No. 58.

Mr. W. J. W. Nicol and others to Mr. R. V. Coster.

Sir,
Zanzibar, October 5, 1899.

WE have the honour to acknowledge receipt of your letter of the 2nd instant, handing us a copy of Sir Lloyd Mathews' letter to you in answer to the Petition presented by the mercantile community regarding the tariff for transhipment goods.

The letter has been submitted to the various communities and approved, and we have been requested to express through you our grateful thanks to Sir Lloyd Mathews on behalf of the mercantile community for the liberal manner in which he has entertained the suggestions laid before him.

We trust that when your godown accommodation is enlarged you will endeavour to grant a further great facility by setting aside a special godown where goods can be repacked in bond, as is at present allowed in Dar-es-Salaam.

We have also to express to you, Sir, our thanks for the assistance you have rendered to us and for the courtesy which you have shown to us throughout.

We have, &c.
Committee:
(Signed) W. J. W. NICOL.
KAIKOBAD COWASJEE DINSHAW.
O. OEHLERKING.
P. F. DE SOUZA.
MAHOMED EBRAHIM.
E. POUCEL.

No. 59.

Mr. Cave to the Marquess of Salisbury.—(*Received November* 16.)

(No. 184.)

My Lord,

Zanzibar, October 14, 1899.

THE telegraphic correspondence between Sir Lloyd W. Mathews and Mr. Rule, which followed the dispatch of my telegram to your Lordship No. 56 of the 15th ultimo, having led to no definite result, an Agreement has been drawn up between the Zanzibar Government and the firm of Messrs. Lavine Brothers, of Johannesburg, for a lease to the latter of the pearl fisheries round the Islands of Zanzibar and Pemba.

The terms of this Agreement, which are very much more favourable to the Sultan's Government than those proposed by Mr. Rule, provide for a lease of ten years' duration, renewable thereafter by the lessees for a further period of five years, in return for the payment of a royalty of 15 per cent. on the gross takings, such royalty not to amount to less than 1,000*l*. per annum. The lessees are further to hire sites from the Government for the erection of any buildings which they may require at a rental of 40 rupees per month for each piece of ground so taken, and are to pay for any guards or water police who may be necessary for the protection of their rights and property. The work is to be commenced within eight months from the date of the contract, and a sum of 1,000*l*. is to be deposited as security for the proper fulfilment of this obligation. The lease contains the usual covenants for the rendering of periodical account-sales and the inspection of books and stores, and grants to the Zanzibar Government the option of taking over the machinery and plant at a valuation at the expiration of the contract, or on its becoming forfeited at any time for breach of agreement.

The contract has not yet been signed, but a telegram has been received from Messrs. Lavine Brothers approving of its terms, and stating that their agent is on his way to Zanzibar to complete it.

To avoid, as far as possible, any question being raised by the Treaty Powers as to the creation of a monopoly, the Concession will not extend to the whole of the coasts of Zanzibar and Pemba, but only to such localities as may be specifically mentioned in a schedule which will be attached to the Agreement.

I have, &c.
(Signed) BASIL S. CAVE.

No. 60.

Mr. Cave to the Marquess of Salisbury.—(*Received November* 16.)

(No. 186.)

My Lord,

Zanzibar, October 24, 1899.

I HAVE the honour to inclose herewith copy of a Report which I have received from Dr. O'Sullivan-Beare, giving the numbers of slaves freed, and the amount of compensation awarded in Pemba during the quarter ended the 30th ultimo.

In Zanzibar, during the same period, 215 males and 164 females have received their freedom, and a sum of 22,565 rupees has been paid in compensation.

I have, &c.

(Signed) BASIL S. CAVE.

Inclosure in No. 60.

Dr. O'Sullivan-Beare to Mr. Cave.

Pemba, October 16, 1899.

Sir,

I HAVE the honour to transmit to you the following figures, showing the number of slaves who have obtained their freedom in Pemba during the quarter ended the 30th September last, viz. :—

Males	279
Females (including six concubines)	338
Children	31
Total	648

The compensation paid amounted to 27,760 rupees. In addition to those who have obtained their freedom during the quarter, a total of 93 slaves (45 males and 48 females) have voluntarily and without asking to be manumitted, entered into contracts with their respective owners during the same period, on terms mutually satisfactory. The arrangements thus made appear to be faithfully observed by both sides, and to work out well for all parties.

The demand on the part of the Arabs for the labour of the freed slaves still continues to be in excess of the supply, and there is little or no vagrancy.

I have. &c.

(Signed) D. R. O'SULLIVAN-BEARE.

No. 61.

Board of Trade to Foreign Office.—(Received November 16.)

Board of Trade, November 15, 1899.

Sir,

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 8th instant, in which you transmit copy of a despatch from Her Majesty's Acting Agent and Consul-General at Zanzibar, relative to the proposed due on shipping for lights and harbour accommodation at that port.

In reply to your inquiry as to the opinion of the Board of Trade upon the matter, I am to request that you will state to the Marquess of Salisbury that the Board think it would be better to maintain the due as proposed, viz., 1 anna per ton for lights and 1 anna per ton for harbour dues, and forego any exemption after a certain number of voyages have been made in each year, rather than to raise the amount of the due and allow such exemption.

I am at the same time to state that the Board adhere to the views expressed in Mr. Hopwood's letter of the 23rd December last, as to the keeping of accounts, &c.

I am, &c.

(Signed) T. H. W. PELHAM.

No. 62.

Acting Commissioner Ternan to the Marquess of Salisbury.—(Received November 18.)

(No. 221.)

Port Alice, September 16, 1899.

My Lord,

I HAVE the honour to report that, the Waganda Regents having sent me a Petition representing that Uganda proper no longer receives tribute from the surrounding countries as formerly, owing to the fact that the British control has altered their political standing with other countries over which Uganda has now no power, I have carefully investigated their claims, and, as a result, I have come to the conclusion that it would be just and desirable to allow the right of Uganda proper to certain annual small sums as tribute from neighbouring countries, which, until comparatively recently, have paid such tribute.

The amounts that I have sanctioned in each case are arrived at by taking an average of the sums paid in years gone by as far as they are traceable.

I have disallowed the tribute claimed by the Waganda from Toro, as that country was formerly under Unyoro, though it occasionally paid tribute to Uganda.

As your Lordship is aware, tribute from Usoga is already being paid to Uganda under an arrangement made by Mr. Berkeley.

The Waganda claimed tribute also from tribesmen in German territory. This claim I have, of course, disallowed.

The claims that I have allowed are those concerning Ankole and Unyoro, and I have fixed the amounts as follows for the annual tribute:—

From Ankole—

Cattle	55
Tusks	8
Goats	10

From Unyoro—

Cattle	23
Tusks	14
Loads of hoes	63
Loads of salt	41
Goats	2

Cattle and ivory being now scarce in Unyoro, and the salt works at Kibero being now under British control, the number of loads of hoes will be increased in proportion. (Great numbers of hoes are made in Unyoro, where iron ore abounds.)

These arrangements appear to give considerable satisfaction to the Waganda Chiefs, and will not materially affect either Ankole or Unyoro.

In course of time, as the use of specie spreads, the tribute will probably be collected in money, but this is not yet feasible.

I have, &c.
(Signed) TREVOR TERNAN.

No. 63.

Sir H. Johnston to the Marquess of Salisbury.—(*Received November* 18.)

(No. 8.)
My Lord,
Naivasha, October 11, 1889.

THE present organization of the Uganda postal service is not a satisfactory one. I venture to propose, for your Lordship's consideration and approval, the following scheme:—

The Uganda postal service should be fused with that of the East Africa Protectorate, and be placed under the direction of the Postmaster-General at Mombasa, who should be Postmaster for Uganda as well as for all parts of British East Africa. In course of time one postage stamp should be used throughout the two Protectorates, but, until the present Uganda stamps are exhausted, they would be allowed to pass current in the two territories on the same footing as the East Africa stamps.

Under the Postmaster-General at Mombasa would be professional postmasters* at Naivasha, at Port Ugowe, or somewhere in that locality, at Kampala, and wherever else any settlement of European settlement or traffic rendered it necessary. These postmasters would be under the direction of the Postmaster-General at Mombasa, and would belong to the fused postal service of the two Protectorates; but the relationship they would bear to the officer directing the Administration of Uganda would be the same as that borne by any other subordinate official serving under the head of one of the principal departments in the Uganda Protectorate—that is to say, the Commissioner in Uganda would usually make his wishes known regarding the postal service of that country through the Postmaster-General at Mombasa.

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* At minor stations one of the European officials would be intrusted with the postal work, as at present.

The Administration of the British East Africa Protectorate would meet the cost of conveying Uganda mails to and from Mombasa and Naivasha. From Naivasha throughout the Uganda Protectorate the Uganda Administration would meet the cost of the native mail-carriers—that is to say, would furnish to the postal authorities men for the carriage of the mails from station to station, and from and to Naivasha, within the Uganda Protectorate.

Beyond furnishing these men at its own expense within the Uganda Protectorate, the Uganda Administration would give no direct grant or subsidy to British East Africa for the postal service, but the latter would be enabled to recoup itself for its trouble and for its bearing the whole charge of ocean transport by the profits it would retain from the money-order service, and from the stampage of letters for Uganda from the East Africa Protectorate and elsewhere. The British East Africa Post Office would also pay the salaries of the postmasters whom it might establish in Uganda.*

The money received by the sale of existing Uganda postage stamps in these post-offices would, after defraying the actual cost of the mail-carriers within the Protectorate of Uganda, be handed over to the British East Africa Post Office to meet its expenditure on the Uganda postal service.

The foregoing scheme has been imperfectly sketched out, but if your Lordship should approve its main intention, it might be submitted to the Commissioner and Consul-General for British East Africa for his remarks, and, possibly, for his acceptance. The plan proposed would be a step towards the eventual fusion of the two Protectorates. It would simply mean that the East Africa Post Office, as organized at Mombasa, should include Uganda within its postal province. This extension would bring Uganda within the Postal Union without more ado. Moreover, it would enable the Postmaster-General at Mombasa to deal at once with the important question of the Indian immigration along the railway route to the Uganda Protectorate. The Indian coolies on this line are constantly requiring to send or receive money orders, and there is absolutely no postal service in Uganda worth speaking of. There is no existing official (unless it be Mr. Galt, who has other work to do) who knows anything about postal work or is able to deal with money orders without blundering.

The present Estimates do not seem to correspond at all with the actual expenditure in Uganda on the postal service. Under schedule 9, "Mail Service," arrangements are made for defraying the cost of internal postal traffic, but no sum is included in that estimate for the heavy payments which I find are made at the present time to the British East Africa Protectorate. It would appear that the Mombasa Post Office levies a charge of 50 rupees per mail bag of 30 lbs. weight, in return for which charge it merely forwards the bags by rail as far as Nairobe, leaving them there to be sent on at the expense of the Uganda Protectorate. It also, as far as I know, retains all profit from stampage at Mombasa on letters sent to and from Uganda. Furthermore, I am informed that the Postmaster-General, Mr. Remington, employs a clerk to assist him with the Uganda mails, at a charge of 150 rupees per month, which charge is debited to the Uganda Protectorate. As I think this really excessive, and as I cannot find that it has ever been sanctioned, I have instructed Mr. D. J. Wilson to give notice of the cessation of this payment.

All this is so unsatisfactory that it should not be allowed to go on, as it is prejudicial to the finance of Uganda.

I may state that the scheme which I have put forward above is one which I have talked over with Mr. Remington, the Postmaster-General of the East Africa Protectorate. In order to facilitate a settlement of the question, I propose to furnish Her Majesty's Commissioner and Consul-General at Mombasa with a copy of this despatch, so that it may be considered from the point of view of the East Africa Protectorate, and counter-proposals, if any, be made.

I have, &c.
(Signed) H. H. JOHNSTON,
Her Majesty's Special Commissioner.

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* In addition to the "professional" post.

No. 64.

Sir H. Johnston to the Marquess of Salisbury.—(*Received November* 18.)

(No. 9. Uganda.)

My Lord, *Naivasha, Uganda, October* 13, 1899.

I WOULD ask to be instructed as soon as possible by the Foreign Office as to the way I should deal with the land question in the Uganda Protectorate, both from the point of view of strengthening our rights to deal with the land, and of the allotment of land to foreign settlers (to Europeans and Indians, or to negroes who may wish to become tenants of the Crown).

So far as I am acquainted with the present conditions of the Uganda Protectorate and its adjoining territories, the following is a fairly correct analysis of the present rights of the British Crown in regard to the possession of the soil :—

1. In the Naivasha district or Masai, country which extends from the East Africa Protectorate frontier on the east, and the German boundary on the south to the Mau Escarpment and the vicinity of Lake Baringo, the country is very sparsely populated by wandering Masai and Andorobo, and is certainly considered by these people now to belong to the British Government, subject to certain grazing rights. During my stay at Naivasha I have seen several important Masai Chiefs who have freely admitted that the country belonged to us; and, what is still more important, Captain Gorges, who performs the civil as well as the military duties of this large district, is implicitly obeyed in any decision he may give regarding the occupation of land. It is safe to assume, therefore, that all the territory of the district in question belongs to the British Government to deal with it as it pleases, with the slight exception that certain tracts of land should be regarded as the grazing grounds of the Masai tribes, and as long as the latter continue their present good behaviour, no part of these grazing grounds should be allotted to foreign settlers.

2. In the Mau, Nandi, and Kavirondo districts it is doubtful whether we have yet acquired sufficient control over the country by cession or by conquest to arrogate to ourselves the right to dispose of the land; but this is a question which I hope to solve soon by Treaty in the friendly disposed districts, and by conpulsion in those districts at present unfriendly, if and when the unfriendliness should ripen into aggressive hostility and repressive measures be thus entailed on us.

3. In Usoga there is, I believe, already an admission of our rights over the land. This, however, shall be confirmed as soon as possible by Treaty.

4. In Uganda proper the land question will require to be dealt with very carefully, and I will not venture on a proposed solution until I am better acquainted with the local rights and customs; it is sufficient to say that I shall endeavour to deal with it much on the lines on which I dealt with a similar question in the case of the Makololo claims in British Central Africa.

5. Toro is practically ours because we have placed and maintain the present King on the throne. However, if our right to deal with the land has not yet been confirmed by Treaty, it shall be as soon as I can visit that district.

6. Unyoro is ours by right of conquest; rights over Ankole shall be acquired in much the same manner as Toru.

7. In regard to the Nile districts and the country along the west shore of Lake Rudolph, were the land is totally depopulated (owing to Dervish raids), and where it has been occupied by British forces, its land rights might be declared to belong to the British Government. Where the land is in possession of settled tribes or powerful Chiefs, the right to dispose of the soil must gradually be obtained by friendly negotiation.

Assuming that by degrees the rights of the British Government to deal as it pleases with the land of Uganda and the adjoining territories are in some districts settled, and in others will be settled in the course of the next few months, the question which next arises, is the lines on which the disposal of the soil shall be regulated. I would propose, unless your Lordship prefers a better plan, to deal with this question pretty much in the same way as was adopted in British Central Africa. I would attempt to define the existing boundaries of land in native occupation, and confirm the settled natives in possession of the soil they are cultivating, that they have built on, or over which they have grazing rights. I would also endeavour to make reasonable provision for the future extension of their settlements owing to increase of population. In such arrangements, however, I would reserve to the British Government the arbitrary right in the public interest to take up at any time sites that might be needed for military purposes, or to carry roads, railways, or telegraphs across the said native territory. Under proper guarantees, also, the tribal ownership, or the Chief of the tribe, or the individual native owner of the soil, might be allowed to dispose here and there of small sites at a fair price or rent to traders or missionaries.

All the land which was not thus made over to the native owners should be considered the absolute property of the British Government and one of the assets of the Uganda Protectorate. The Commissioner should be empowered to dispose of this land to European, Indian, or negro settlers by sale or lease, and by the same methods as are now in force in the British Central Africa Protectorate. If the Foreign Office for good reasons should decide to retain the freehold and only to issue long or short leases of land, I might be instructed to that effect. Personally, I am disposed to think that if the freehold area were limited to, say, 100 acres or less, land in small quantities might be occasionally sold outright. I should certainly not recommend the disposal by freehold of large quantities of land, and would prefer that estates of any magnitude should be let on lease.

Unless I am instructed differently, I should also wish to settle, on the lines familiar to me in British Central Africa, existing land claims on the part of Europeans—missionaries or others—by granting certificates of claim, and having the estates thus defined surveyed ultimately at the cost of the proprietor.

I am writing this despatch in ignorance of any definite instructions which may have been conveyed to the Acting Commissioner and Consul-General at Kampala for dealing with the land question. I am taking this step because, owing to the unfortunate delay of the railway steamer which contains my baggage, I am detained here at Naivasha for at least a week longer, and then shall have to remain at the Ravine some time with Colonel Ternan discussing the Estimates. Moreover, the question has assumed a certain urgency owing to the approach of the railway. British and Indian traders are coming to Naivasha for the purpose of setting up stores and acquiring small sites for other purposes. Acting on instructions from me, Captain Gorges, the Military and Civil Officer of this district, has granted temporary permission in one or two places to occupy sites of an acre in the vicinity of Naivasha Station (I mean the Government station—not the railway). An Englishman of the name of Walsh obtained from Mr. Berkeley a similar permission of a temporary character, and, in consequence, he has established a store at Naivasha, which has been most useful to the European officials, as it is kept constantly furnished with supplies of European provisions and other articles. It will naturally be of great advantage both to the Administration of the Protectorate and the officials of the Administration if at the various Government stations traders can be encouraged to establish themselves. European goods will then be brought up and be offered for sale, and the Administration of the Protectorate will thus be no longer obliged to assist in provisioning its officials by transporting free loads of food-stuffs from the coast.

There is one remaining difficulty in regard to the land question which I should like promptly settled. It affects the East Africa Protectorate as well. The Railway Company at present possesses the right to make use of 1 mile of land on either side of the railway-line. This is a reasonable privilege as far as the wastes and wilds are concerned, but it becomes an impossibility when the railway approaches existing stations of the Protectorate, or such estates as may be private property or the recognized possessions of natives. In cases like these, either the line must deliberately pass at a distance of 1 mile from an existing Government station, thereby causing great inconvenience in matters of transport, or it must theoretically annex the Government station.

I would suggest, as a way of meeting this difficulty, that instructions should be sent out to the Railway Company modifying this privilege in the following sense:—

That although they shall be allowed to cross any native territory or private estate without compensation to the owners, they shall not in such cases as where the soil is not the property of the British Government* take more than 30 yards on either side of the permanent-way without the consent of the individual owner, and that, within an area of 3 miles round each Government station the 1-mile strip on either side of the line shall be reduced to such limits as may, in the opinion of Her Majesty's Commissioner, accord with the needs of the railway and the necessities of the station, always assuming that the railway shall not have less than 30 yards, measured back from each side of the line.

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* As far as Ugowe Bay there will be no difficulty in giving the Railway its mile on either side except at Government stations.

I have, &c.

(Signed) H. H. JOHNSTON,

Her Majesty's Special Commissioner.

No. 65.

Acting Commissioner Craufurd to the Marquess of Salisbury.—(*Received November* 18.)

(No. 176.)

My Lord,

Mombasa, October 27, 1899.

SIR HARRY JOHNSTON has sent to me a copy of his despatch No. 8, of the 11th October, to your Lordship respecting the postal service of the Uganda Protectorate, with a request that I should state whether I approve of his proposals, and a suggestion that I might communicate my views upon this subject to your Lordship.

There is little doubt that the future progress of Imperial enterprise in this part of Africa will necessitate the fusion into one great Government of the several existing Administrations, and I therefore can but agree with the proposal that there should be a single organization for both Protectorates for postal and money-order business, and that it should be put under the Postmaster-General at Mombasa, who is doing, and has done for some time past, the work of controlling as far as lay in his power the postal service for Uganda as well as for this Administration. In the interests of economy this appears to be the best course.

I also agree that one postage stamp for "British East Africa" could be taken to represent the united Protectorates of East Africa and Uganda. A profit of several hundreds of pounds—possibly thousands—would be obtained from dealers and the public generally as the old issues were bought up and the new stamp put on the market.

The technical divisions of the cost of carrying mails and of the receipt of revenue into which the Uganda Commissioner enters at length appear to be admirable. At the same time I think it would be well, as an alternative, to ask the Postmaster-General to keep a statistical account to show at the end of each financial year the actual cost of the service within the two Protectorates, and the revenue received from East Africa and Uganda business separately, treating the postal and money-order work as a whole, and merely submitting the differential figures for the service of the Commissioners in framing their annual estimates. There surely can be no advantage in a system of losses or profits in inter-Protectorate dealings.

No arrangements exist at present for the exchange of money orders between Uganda and any other country; these will become imperative as soon as the railway enters that Protectorate.

I transmit a copy of some Memoranda furnished me by the Postmaster-General, as a specialist, which deal with the technical points raised by Sir Harry Johnston. It will be observed that Mr. Remington estimates, for the future, a charge of 1 rupee a pound weight instead of 50 rupees a bag as presently arranged for carriage to Naivasha.

Mr. Remington does not estimate for an increase of his salary or that of the Mombasa postal staff. The work is now being done by the existing establishment, and one extra accounts' clerk will alone be immediately required. The normal increases in pay may be considered sufficient for the subordinate staff.

I would, however, venture to suggest that the salary of the Postmaster-General for both Protectorates be put upon the same footing as the heads of the Treasury and Judicial Departments, or the consolidated salary drawn by the Chief of Customs. This would show that Mr. Remington's past extra work and future increased responsibility is taken into consideration.

I have, &c.

(Signed) CLIFFORD H. CRAUFURD.

Inclosure in No. 65.

Memoranda from the Postmaster-General, East Africa Protectorate.

(Extract.)

I CONSIDER if the post-office at Mombasa is permitted to continue the charge of 1 rupee per lb. for carriage of postal parcels to Naivasha, it can afford to carry the Uganda mails to Naivasha free of cost to the Uganda Protectorate, and that if the East Africa Protectorate be allowed to retain all the revenue collected in Uganda on account of sale of stamps, money-order commission, underpaid collections, &c., that the expenditure for salaries of the proposed postmasters, in addition to the cost of carriage of mails to Naivasha, may also be met by the East Africa Protectorate, as well as the transit charges for correspondence received from Uganda and dispatched from Mombasa to other countries.

The Uganda Protectorate to bear the expense for carriage of mails from any station to any station in the Uganda Protectorate.

I do not think that any sum would be left to be paid to the Postal Department of the East Africa Protectorate after the actual cost of the mail-runners within the Uganda Protectorate had been defrayed out of the sale of the existing Uganda postage stamps.

With regard to the charge of 150 rupees per month for the salary of a clerk to assist in dealing with the Uganda mails, I beg to state that it is very necessary to count, weigh, and pack up in waterproof paper all mails for Uganda, not only because of the rough treatment all mails for Uganda must necessarily undergo while being carried for so long a distance by porters, but also on account of the utter lack of any satisfactory postal arrangements in Uganda.

I found a large portion of the time of the staff in this office taken up on this account, and the salaries being paid for by the East Africa Protectorate, I therefore applied to Mr. Wilson for assistance, which he, being well aware of the justice of my application, granted, subject to approval.

On the other hand, I would respectfully beg to point out that no charge has been made against the Uganda Protectorate for the cost of purchasing waterproof paper, string, sealing wax, or stationery, nor, so far as I am aware, has any charge been made by the transport department for the carriage of mails from Uganda through this Protectorate to Mombasa.

I beg to inclose an estimate of revenue and expenditure for a period of twelve months, which must be taken as only approximate, as the details on which these estimates are based are scanty, and cannot be thoroughly relied upon.

I would, however, add, that should the proposal to fuse the postal services of the two Protectorates be approved, I think that the revenue may be expected to be quite sufficient to cover the expenditure.

Uganda Protectorate.

APPROXIMATE Estimate of Revenue and Expenditure for a period of 12 months.

Item.	Amount.	Item.	Amount.
Revenue.	Rupees.	*Expenditure.*	Rupees.
Money-order commission	10,000	3 postmasters at 200 rupees each per month	7,200
Sale of postage stamps	4,500	4 messengers at 30 rupees each per month	1,440
Underpaid collections	2,000	Stationery, &c.	400
		Contingencies	260
Total	16,500	Total	9,300

No. 66.

Foreign Office to the Law Officers of the Crown.

Gentlemen, *Foreign Office, November* 18, 1899.

I HAVE the honour, by direction of the Marquess of Salisbury, to transmit to you the papers noted on the accompanying list, which relate to the power of dealing with land in Protectorates.

These papers deal primarily with the East Africa and Uganda Protectorates, but the questions on which your advice is sought are not peculiar to those territories, and should be settled according to general principles.

Protectorates may, for the purposes of the present reference, be conveniently divided into two classes: in the one, of which Zanzibar and Tunis are examples, the Protected Power has developed an administrative, legislative, and judicial system, and possesses a body of law regulating, *inter alia*, the tenure and the transfer of land; above all, the ideas of State and private ownership in land are fully understood. In the other class of Protectorates, the sovereignty, if it can be said to exist at all in regard to territory, is held by many small Chiefs, or Elders, who are practically savages, and who exercise a precarious rule over tribes which have not as yet developed either an administrative or a legislative system; even the idea of tribal ownership in land is unknown, except in so far as certain tribes usually live in a particular region and resist the intrusion of weaker tribes, especially if the intruders belong to another race. The occupation of ground in which a season's crops have been sown, or where cattle are for the moment grazing, furnishes the nearest approach to private ownership in land; but, in this case, the idea of ownership is probably connected rather with the crops and the cattle than with the land temporarily occupied by them. The whole of the East Africa Protectorate outside the coast strip constituting the mainland dominions of the Sultan of Zanzibar may be placed in the second class. In the Protectorate of Uganda the Kingdom of Uganda proper might, perhaps, in some respects, be placed in the first class; but the present request for advice deals mainly with regions in the second class.

The Treaties made by the Imperial British East Africa Company are given at pages 12–16 of the Parliamentary Paper, "Africa No. 4 (1892)," where a copy of the Charter will also be found. (Document A.)

Special attention is called to the terms of the Treaty given at the top of p. 15 of the above-mentioned Parliamentary Paper. The Charter recognizes the Treaties, and under Article 23 (8) confirms to the Company, in so far as Her Majesty is concerned, the right to grant lands for terms or in perpetuity absolutely.

It therefore seems clear that the exercise of whatever rights over land the Company possessed under Treaty grants from the Chiefs has been confirmed to them in the fullest and most ample manner by the Crown—and that by the transfer of the administration, noticed below, the Crown now holds all the rights, whatever they may have been, which were held by the Company at the date of the transfer.

The measure of the rights of the Crown in this regard, however, appears to be determined by the extent of the Treaty rights of the Company which passed on the transfer of the administration.

In January 1894, the Imperial British East Africa Company submitted for the approval of the Secretary of State certain Rules and Regulations regarding land. (See Document B.) The Secretary of State concurred in their issue, although he avoided expressing any opinion on their contents.

On the 15th June, 1895, a Notification (Document C) was published in the "London Gazette" of the British Protectorate over territories in East Africa late in possession of the British East Africa Company. The transfer of the Company's rights to Her Majesty's Government was recorded by a deed of the 20th May, 1896 (Document D), and the transfer itself was formally effected in East Africa on the 1st July.

On the 21st December, 1896, an order (Document E), headed "East Africa Protectorate," was issued by Her Majesty's Commissioner for the East Africa and for the Zanzibar Protectorates providing for the registration of all "documents relating to leases, mortgages, sales, and other transfers of immovable property except wills;" the previous Order of the 1st June, 1893, therein referred to, is not in the possession of Her Majesty's Government.

It was proposed in 1896 to make certain land and mining Regulations for East

Africa and Uganda. The proposal was referred to the Colonial Office, and that Department pointed out in the letter of the 4th September, 1896 (Document F), that the land in a British Protectorate is, as regards the British Government, foreign soil, and is not vested in the Crown as is the case in territory which is annexed to the British Dominions. The letter added that it was, therefore, advisable to avoid making grants in which the British authorities appeared to alienate land which was not, in fact, vested in them or in the British Crown. The system recommended for adoption was that of certificates permitting a particular person to occupy a particular piece of land, and undertaking to secure him in his occupation subject to such conditions as might be thought advisable. The granting of such a certificate was an administrative act, and not a transfer of title.

This system was adopted in the Land Regulations for East Africa, the 7th January, 1897, and for Uganda (Documents G and H respectively).

The construction of the Uganda Railway throughout the East Africa Protectorate has necessitated important steps with regard to the appropriation of land required in connection with the line.

In the beginning of 1897, it was thought advisable to secure to the Crown a belt of land along the line, as such land might become valuable and serve to recoup a part, at least, of the money spent in building the railway.

The question how this could best be done was referred to Mr. Albert Gray. The constitutional and legal difficulties of the matters are discussed in the latter part of his letter of the 7th April, 1897 (Document I).

The last paragraph but two of the letter is apparently in error in stating that the Indian Land Acquisition Act of 1894 had then been applied to the East Africa Protectorate,—it had then been applied to the Sultan's dominions only.

The matter of the railway belt was eventually dealt with by a Notification, dated the 9th May, 1897 (Document J), and issued by the Commissioner in the Protectorate, announcing that in pursuance of the powers vested in him he had appropriated for public purposes, subject to proved rights of ownership, all lands on the mainland beyond Mombasa situated within 1 mile on either side of the railway wherever finally constructed. There is no indication of the particular authority on which the Notification rests.

On the 12th June, 1897, the Commissioner issued a Notice (Document K), providing for the compulsory purchase of land and houses belonging to persons subject to the Native Courts, *i.e.*, land and houses belonging to natives; the Notice contains no indication of the particular authority on which it was issued. "The Africa Order in Council, 1889" (Document L), under which the Queen's extra-territorial jurisdiction in the East Africa Protectorate was then exercised, did not give the Commissioner any powers over natives of the Protectorate or over their property; both the natives and their property were assumed to be under the jurisdiction of their several sovereign Chiefs.

On the 8th July, 1897, the Commissioner issued a Notification (Document M), providing that no document purporting to transfer any interest in land from a native of the East Africa Protectorate (outside the Sultanates of Zanzibar and Witu) to a British subject or to a foreigner should be valid without the written approval of the local Collector.

On the 7th July, 1897, a new Order in Council was passed for East Africa (Document N). But it did not come into force in Africa till the 12th August, 1897.

Article 11 (*b*) of this Order applied to the Protectorate "The Indian Land Acquisition Act, 1894" (Document O).

Mr. Gray points out in the 7th paragraph of his letter of the 21st June last (Document P) that under "The East Africa (Acquisition of Lands) Order in Council, 1898" (Document Q), the Commissioner probably has power to grant a title amounting to a freehold in the case of land taken under "The Indian Land Acquisition Act, 1894."

The Commissioner's despatch No. 216 of the 5th September, 1897 (Document R), submitted Regulations for preventing the creation of fictitious titles to land in the Sultan's dominions. Mr. Albert Gray, to whom the despatch was referred, remodelled the Regulations, and proposed in his letter of the 17th November, 1898 (Document S), that they should be extended beyond the Sultan's mainland dominions to the whole of the East Africa Protectorate.

Mr. Gray's letter was sent to the Commissioner who, in his despatch No. 14 of the 7th January last (Document T), suggested certain minor amendments in the draft of the Regulations, mentioned above, for preventing the creation of fictitious titles to land, and expressed concurrence in the proposal to extend them to the whole Protectorate. He deduced from Mr. Gray's suggestion that Her Majesty's Government now held that waste land in the Protectorate could be treated as in a Colony, and be considered capable of being granted in freehold by the Crown. The question involved in this correspondence was again referred to Mr. Albert Gray with the others relating to land, and his observations on it will be found in his letter of the 21st June last (Document P), to which reference will be made below.

On the 29th December, 1897, amended Land Regulations were issued in East Africa (Document U). These Regulations differed in detail, but not in principle, from those first issued (Document G).

The Land Regulations of Uganda were issued *pari passu* with those for East Africa.

It may be observed that Uganda is under "The Africa Order in Council, 1889" (Document L).

The inclosed despatch No. 19 of the 22nd February, 1898, from the Acting Commissioner in Uganda, contains observations to the effect that the Land Regulations do not entirely meet the requirements of the Protectorate, and proposes various amendments; it also contains information on the ideas of land tenure held by the native administration of Uganda. This despatch was referred to the Colonial Office; the reply of that Department is dated the 26th January, 1899 (Document V).

The Land Regulations promulgated for East Africa in December 1897 are also insufficient in present circumstances. The Commissioner's despatch No. 313 of the 4th October, 1898 (Document W), points out some of the difficulties which the Regulations do not meet in practice. This despatch also was referred to the Colonial Office, and the reply to the reference is dated the 7th April, 1899 (Document AA).

In the East Africa Protectorate an important change has recently been effected by an Order in Council, dated the 7th ultimo (Document X), Article 9 of which provides that Queen's Regulations made, or to be made, under Articles 45 and 46 of "The East Africa Order in Council, 1897," shall, unless a contrary intention appears, apply to natives.

Mr. Albert Gray's letter of the 21st June last (Document P) relates also to the form of transfer which should be used in respect to such land in the Sultan's mainland dominions as the Crown can dispose of. The matter was raised by Mr. Cave's despatch No. 70 of the 22nd February last (Document Y); properly it stands outside the scope of the present reference, because it relates to land in a region possessing a code of land laws. It is referred to you now, as it has been included in the questions dealt with in Mr. Albert Gray's letter of the 21st June last.

The documents hitherto noticed form the body of legislative measures taken in the Protectorate with regard to land. But it is in many cases doubtful whether the provisions above noticed are properly applicable to natives (or to their property), as defined by the Orders in Council, under which Her Majesty's officers have successively acted in the Protectorate, namely, "The Africa Order in Council, 1889," and "The East Africa Order in Council, 1897," those Orders applying only to the persons and property of British subjects and to foreigners, as defined in the Order.

The Order of 1897 provides, indeed, by Article 52, for the administration of justice in native Courts, but in view of the provision of Article 5, namely, that the Order applies to natives (as defined in the Order) only in the cases and according to the conditions specified in the Order, and not otherwise, it is at least doubtful whether the Order can be said to give power to legislate for natives or to administer their affairs.

I also have the honour to call your attention to an important change that has of recent years come over the juridical conception of a Protectorate.

The original conception precluded the supersession of the Protected by the Protecting Power as regards the government of the subjects of the Protected Power; jurisdiction within the Protectorate over the subjects of the Protecting Power and over other persons was strictly limited to such cases as were directly provided for in the Treaty creating the Protectorate.

Thus "The Africa Order in Council, 1889," and the Orders issued in connection with it, and "The East Africa Order, 1897," except in so far as the latter Order creates Native Courts, do not give jurisdiction to the British authorities over the subjects of the Chiefs in the Protectorates affected; neither do they give power to make legislative regulations binding on the subjects of those Chiefs.

In British Central Africa, where few, if any, Chiefs now exercise judicial, legislative, or administrative functions, the difficulty has hitherto been met by allowing the British officers of the Protectorate to exercise all these functions on the assumption that they act on behalf of the Chief.

In practice the same course must often have been followed in East Africa; but from the strictly legal point of view the arrangement is not satisfactory. In many of the more advanced Protectorates administered by the Colonial Office, the natives come under the same jurisdiction (but not necessarily under the same legislation) as British subjects and foreigners. The Colonial Department appears to act largely on the principle to which attention was called in the Report of the 14th February, 1895 from your predecessors in office (Document Z) in regard to jurisdiction in the Protectorates adjacent to the Gold Coast Colony, and to assume that, even in the absence of a Treaty between the Protecting Power and the local Sovereign granting jurisdiction over the subjects of that Sovereign, the existence of a Protectorate in an uncivilized country implies the right to assume whatever jurisdiction, over all persons, may be needed for the effectual exercise of the Protectorate.

This tendency is also seen in the above-mentioned Order in Council of the 7th ultimo (Document X), which provides means for making regulations issued under "The East Africa Order in Council, 1897," applicable to natives.

It has already been observed, in connection with the enactment in East Africa of "The Indian Land Acquisition Act, 1894," and "The East Africa (Acquisition of Land) Order in Council, 1898," that power has probably been taken by the Crown to give a freehold title in the case of land actually claimed by a native, and compulsorily obtained from him, on compensation, by means of the provisions of the Act in question; it would seem, therefore, that power could all the more properly be assumed for giving a similar title to land lying waste and not claimed by any one.

Attention has already been called to the fact that the natives of the Protectorate have practically no such idea of "ownership" in land as is entertained amongst more settled and civilized communities. In support of this position, it may be noticed that no difficulty whatever has been experienced in appropriating the land on which the Uganda Railway has been built in the East Africa Protectorate; the line was already many miles beyond the Sultan's dominions when the Indian Land Acquisition Act became law in the Protectorate, and it is believed that no action under that Act has yet been needed. The Notification of the 9th May, 1897, appropriating a belt of land in connection with the railway, deals only with land *on either side of the line.*

As has been said above, the several legislative Orders and Regulations which have been issued from time to time in East Africa have almost certainly been applied to "natives" and to their property; and notwithstanding that, in strictness, the Orders in Council under which the British authorities act did not allow such application, it does not appear to have produced any evil effects; it is, indeed, in accordance with the tendency noted in the above-mentioned Report of your predecessors in office (Document Z).

It seems therefore proper to consider whether, in such a region as East Africa, in order that the Protectorate may produce its due effect in regard to the good government and the development of the country, the Protecting Power should not assume jurisdiction over waste and uncultivated land in places where the native Ruler is incompetent, whether from ignorance or otherwise, to exercise that jurisdiction.

All those of the above-mentioned papers which relate more directly to the Land Regulations of Uganda and of East Africa were referred to Mr. Albert Gray for his advice as to how they could be dealt with so as to overcome the various difficulties which had become apparent. Mr. Albert Gray's reply of the 21st June last (Document P) analyses the several questions on which a decision must be taken, and points out that the treatment of them must depend primarily on the nature of Her Majesty's title to land in the Protectorates, or, in other words, of the extent of the right to deal with it.

The questions on which I have the honour to ask for an expression of your opinion are the following:—

1. In regions where Her Majesty exercises rights of Protectorate under Treaties such as those made by the British East Africa Company, which do not specifically grant to Her Majesty the right of dealing with waste or unoccupied land, does that right accrue to Her Majesty by virtue of the right of Protectorate? Is any difference made by the fact of the natives of the region with whom the Treaty was concluded being practically savages without any proper conception of ownership in land?

2. If, in your opinion, Her Majesty has not the right to deal with waste or unoccupied land in such regions, can you suggest means by which the difficulties of

the system of land certificates can be met, or some alternative system, under which the difficulties would not arise?

3. Do you agree with Mr. Gray that Her Majesty can by operation of the "Indian Land Acquisition Act" and of "The East Africa (Acquisition of Lands) Order in Council, 1898," grant a title amounting to a freehold? And are you of opinion that a freehold title can by those means be given in such a region as is indicated under (1).

Lord Salisbury would be glad at the same time to be favoured with your observations on:—

(*a*.) The form or the substance of the several Regulations and Notifications issued by the Commissioner and mentioned in the present reference;

(*b*.) On the proposal which is dealt with in Mr. Gray's above-mentioned letter (Document P), to extend to the rest of the East Africa Protectorate the Regulations already promulgated in the Sultan's dominions for the purpose of preventing the creation of fictitious titles to waste or unoccupied land (Document E); and

(*c*.) The form of conveyance for land in the Sultan's dominions, submitted in Mr. Cave's despatch No. 70 of the 22nd February last (Document Y).

I have, &c.
(Signed) FRANCIS BERTIE.

List of Papers.

(A.)	"Africa No. 4 (1892)."			
(B.)	Imperial British East Africa Company's Rules and Regulations.			
(C.)	Notice in "London Gazette"		June	15, 1895.
(D.)	Transfer of Imperial British East Africa Company's rights, 1896.			
(E.)	Registration of documents, East Africa Protectorate		December	21, 1896.
(F.)	Colonial Office		September	4, "
(G.)	"The East Africa Land Regulations, 1897."			
(H.)	"The Uganda Land Regulations, 1897."			
(I.)	Mr. Gray		April	7, 1897
(J.)	Notification (railway belt)		May	9, "
(K.)	Notice of June 12, 1897 (compulsory purchase of land).			
(L.)	"The Africa Order in Council, 1889."			
(M.)	Notification of July 8, 1897.			
(N.)	"The East Africa Order in Council, 1897."			
(O.)	"The Indian Land Acquisition Act, 1894."			
(P.)	Mr. Gray		June	21, 1899.
(Q.)	"The East Africa Order in Council, 1898."			
(R.)	Sir A. Hardinge, No. 216, 1897.			
(S.)	Mr. Gray		November	17, 1898.
(T.)	Sir A. Hardinge	(No. 14)	January	7, 1899.
(U.)	Amended Land Regulations for East Africa		December	29, 1897.
(V.)	Colonial Office		January	26, 1899.
(W.)	Sir A. Hardinge	(No. 313)	October	4, 1898.
(X.)	East Africa Order in Council		October	7, 1899.
(Y.)	Mr. Cave	(No. 70)	February	22, "
(Z.)	Law Officers		February	14, 1895.
(AA.)	Colonial Office		April	7, 1899.

No. 67.

Foreign Office to Mr. Gray.

Sir,

Foreign Office, November 18, 1899.

I AM directed by the Marquess of Salisbury to transmit to you a despatch from the Acting British Commissioner and Consul-General in Uganda,* inclosing a copy of the Customs Regulations which he has recently issued there as "Urgent," and I am to inform you that his Lordship would be glad to be furnished with any observations which you may have to offer thereon.

I am to draw your special attention to the following points:—

Article 4. First part (*b*).—Has the term "realm" any exact or positive meaning in Uganda? Must not this provision be completed by the establishment of a legal currency or altered into a simple prohibition of false or counterfeit money generally?

In Part 2 (*d*) "seeds or grain" are mentioned. It seems desirable, from an administrative point of view, to extend this provision so as to exclude all articles which may be dangerous to domestic animals or cultivated plants.

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* No. 24.

Article 10, last paragraph.—Provision might be made for including the cost of agency and commission, which might properly be added to the basis of assessment stated in the Article.

Article 11.—Provision should be made for preventing the goods mentioned going into consumption on their way to Kampala or Port Alice.

Article 32.—A minimum penalty of four years is provided, but, in view of the extensive powers of remission which are reserved to the Commissioner by Article 34, there would seem to be no objection to this.

Article 38.—The limitation of damages and fine is unusual, but appears to be suited to the circumstances.

The Regulations contain no transit arrangement. The transit trade will have to be provided for as soon as the advance of the Uganda Railway opens up Uganda as a route to the adjacent German and Congo territories, and his Lordship proposes to forward to the Commissioner the bases for a system of transit which were communicated to the French Government in connection with the negotiations respecting the transit traffic of the Niger Territories, and also the Memoranda prepared in explanation of those bases. Copies of these papers are inclosed.* The Commissioner would be requested to consider them, and to report what provisions he thought most suitable to the transit traffic of Uganda.

Provisions analogous to those that may eventually be adopted for the transit trade would meet the difficulty, to which attention has already been called as arising under Article 11.

I am, &c.
(Signed) MARTIN GOSSELIN.

No. 68.

Foreign Office to Mr. Cave.

(No. 185.)

Foreign Office, November 18, 1899.

Sir,

THE Marquess of Salisbury has had under his consideration your despatch No. 170 of the 30th September last, inclosing copy of an Order recently issued empowering importers to add to the price of contracts already concluded, but not yet executed, the amount of the import duty which has been recently reimposed.

It appears to his Lordship that the Regulation ought to have been made under the provisions of Article 47 (ii) of "The Zanzibar Order in Council, 1897": "For securing the observance of any Treaty for the time being in force relating to Zanzibar or of any native or local law or custom"; whereas it is made "for the peace, order, and good government of British subjects," which is a separate class of Regulation made not under Article 47 (ii), but under Article 47 (i).

The matter is not of sufficient importance to necessitate any alteration in the present instance, but in any future cases of a similar kind which may occur care should be taken that the Regulation should be expressed to be made under the proper paragraph of Article 47.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 69.

Foreign Office to Acting Commissioner Craufurd.

(No. 191.)

Foreign Office, November 18, 1899.

Sir,

THE Marquess of Salisbury has had under his consideration your despatch No. 145 of the 26th September last, respecting the desirability of some means being found to indemnify the Administration of the East Africa Protectorate for the use of the Customs premises at Mombasa by goods passing through the town and for the clerical labour and other expenses involved in the control of the transit trade generally.

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* Memoranda and draft Transit Regulations for the Niger. (See draft to Mr. Craufurd in reply to his despatch No. 145 of the 26th September 1899.)

With this object, you propose that $1\frac{1}{4}$ per cent. should be charged on all goods going through East Africa.

You are aware that Article IV of the Berlin Act prohibits transit duties on goods imported into the Conventional Congo Basin and makes this freedom from transit duty absolute and altogether independent of the question where the goods are going; while Article III provides that no other taxes shall be levied on goods imported than such as are levied as fair compensation for expenditure in the interests of trade.

It is true that import duties not exceeding 5 per cent. are allowed by Agreements signed in connection with the Brussels Act; but this does not affect the prohibition against transit duties.

The Administration is, however, entitled to repayment of the cost of warehousing merchandize and for the cost of guarding it during transit. But payments made under these heads should not be open to the charge of being either additional customs duties or transit duties and should not be a source of revenue to the Protectorate. They should be assessed at such a rate and on such a basis as to recoup the Administration as exactly as possible for the expenses incurred. These expenses will vary according to the bulk and nature of the goods, the time during which they remain in warehouse, the distance they are carried in transit, the time occupied by the transit journey, &c., and not according to the value of the goods. Warehouse and transit duties assessed on the value of the goods, irrespective of the above-mentioned considerations, would be liable to be looked upon as a customs duty levied in addition to the 5 per cent. maximum allowed by the Agreements of Brussels, or as transit duties.

A transit trade is usually conducted on one of the following three systems, at the choice of the Administration or of the transit agent:—

(*a*.) The whole duty is paid on importation and repaid when the goods leave the territory;

(*b*.) A bond is taken for securing the duty should the goods not be proved to have left the territory; or

(*c*.) The goods are placed under Customs seal, and remain under Customs supervision until they leave the territory.

Under each of these systems, the object is to prevent importation or exportation without payment of the import or export duties respectively, and not the safety of the goods themselves, which is a matter for the owner or transit agent to see to, or pay for, separately.

I am to inclose copies of the bases for a system of transit which were submitted to the French Government during the negotiations respecting the Niger Territories, and also of explanatory Memoranda prepared in connection with these bases.*

I am to request you to submit to Lord Salisbury a draft of Regulations for warehousing and for the transit trade prepared in accordance with the suggestions in this despatch.

Copies of the Customs and Transit Regulations of British Central Africa are inclosed, as you may find in them useful examples of form.*

Her Majesty's Special Commissioner in Uganda will probably have to consider the question of the transit trade, and I am to request you to forward to him a copy of this despatch and of the draft which you will prepare, as it would be convenient that the Regulations in force in the two Protectorates should, if possible, be on similar lines.

I am, &c.
(Signed) T. H. SANDERSON.

No. 70.

Foreign Office to Acting Commissioner Ternan.

(No. 229.)

Sir,

Foreign Office, November 20, 1899.

THE Marquess of Salisbury has had under his consideration your despatch No. 208 of the 2nd September last on the subject of the railway zone in Uganda, and I am directed by his Lordship to inform you that, the decision in the matter already communicated to you, having been come to by Her Majesty's Government, the question is one which is no longer open to discussion.

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* Not printed.

His Lordship caused your despatch under reply to be communicated to the Railway Committee, and at their suggestion, I am to transmit to you, for your information, a copy of a Memorandum respecting the zone, from which you will be able to learn their views as to the manner in which it should be administered.

I am, &c.

(Signed) FRANCIS BERTIE.

Inclosure in No. 70.

Memorandum.

(Confidential.)

1. THERE is an important distinction between the position of the Railway and that of a private landowner in the Protectorates. The latter holds his land under lease or grant from the Protectorate authorities, subject to whatever conditions those authorities see fit to impose. The Railway holds absolutely by virtue of a Proclamation issued by direction of the Secretary of State, appropriating the zone to the Railway, so far as it did not previously belong to private proprietors; this Proclamation was issued on legal advice in lieu of a statutory declaration of title which had at first been contemplated. It is indisputable that the Railway holds by a tenure, which is superior to that of a private landowner, because dependent directly on the Crown, and of a less restricted character.

2. This is notably the case in the particular of minerals. An ordinary landowner holds the surface only, but the Railway owns all minerals besides. In short, it owns the zone in as absolute a completeness as it is possible for the Secretary of State (*i.e.*, the Crown) to give. And the equity of this lies in the fact that the Railway holds its lands, not for any private end, but for the benefit of the British tax-payer, who has advanced the capital for making the line, and looks to the zone as practically the sole source from which that capital can be recovered. Mining royalties therefore belong to the Railway, if arising within the zone.

3. Subject to the foregoing proviso, the rights of the Railway, as owner, will in no way impair the rights of the Protectorate as Governor, Imposer of Taxes and Administrator of Justice within the zone No man, by entering the zone, can escape taxation or other legal liability. The Protectorate Collector of Revenue, and the writ of a Protectorate Court, and the executive command of Her Majesty's Commissioner, will have as full power within the zone as without. If it be found convenient that Railway officers should have magisterial functions, and Railway servants be constables, they will derive their powers from the Protectorate, and be accountable to it for their exercise.

4. It is most desirable that the Land Regulations within the zone should resemble those prevailing outside. What differences there may be should be only such as the greater value of the land, and thicker and more abiding population, may necessitate. But the Regulations should be made by the Railway, with the concurrence of the Protectorate authorities.

5. The making of roads through the zone and across the line is a matter for mutual arrangement between the Railway and Protectorate authorities. The Railway will give the land for the roads, and will have to accommodate its traffic to every level crossing, and, therefore, is obviously entitled to a voice in the matter. This is another point of difference between the Railway and a private landowner, who holds his land on the specific condition that any part of it may be resumed for public purposes. The whole of the Railway land is held, as such, for a public purpose of Imperial importance; therefore, any such condition of resumption would be inapposite.

6. If the roads are made and maintained by the Protectorate, the Protectorate will properly receive the correlative tolls or rates; but if the Railway makes and maintains them, those tolls and rates should be Railway revenue.

7. Water rights, and the control over the use of water by private persons, within the zone, should belong to the Railway; but so far as the requirements of the line permit, the administration of such rights should correspond to that practised by the Protectorate in adjoining lands. Water dues should go to the Railway Treasury, so far as the Railway is responsible for maintenance of water conduits, reservoirs, &c. In all these cases the receipts should follow the charge. Who pays, likewise receives.

8. Similar considerations apply to such matters as police, sanitation, lighting, markets, licences to sell provisions, and the like. If it be convenient that the Railway should not only provide the land for these purposes, but also be responsible for the

preservation of order and constructing and maintaining drains, lights, and markets, the Railway should make the requisite Regulations, profiting by any experience already obtained by the Protectorate in these matters, and should levy and retain the corresponding fees and rates. On the other hand, as soon as local authorities can be established which will undertake such duties, or some of them, they will bear the charge and take the revenue. The police should be a Protectorate, not a municipal, force, therefore the police rate should be received by the Protectorate.

9. There seems no reason for any conflict of jurisdiction between the Protectorate authorities and the Railway in such matters, which belong, for the most part, to parochial bumbledom rather than to the Central Government.

10. The communities that collect round our chief railway stations ought, of course, to contribute to the general revenue of the Protectorate, not merely by their consumption of dutiable articles, but by some direct tax. A hut tax is the ordinary impost of this kind on natives in our African possessions, and we ought not to oppose its imposition within the zone, if it is to be adopted in other parts of the Protectorate that are similarly circumstanced.

No. 71.

Lord Currie to the Marquess of Salisbury.—(Received November 21.)

(No. 9. Africa.)

My Lord, *Rome, November* 16, 1899.

I COMMUNICATED to M. Visconti-Venosta the substance of the instructions contained in your Lordship's despatch No. 9, Africa, of the 18th ultimo in regard to the lighting of the coasts of Pemba and Zanzibar, and I have now the honour to forward a translation of a note from his Excellency, asking to be informed of the grounds on which Her Majesty's Government object to the third condition indicated in his note to this Embassy of the 21st September.

I shall be glad to receive your Lordship's instructions as to what reply I should make to the Minister of Foreign Affairs.

I have, &c.
(Signed) CURRIE.

Inclosure in No. 71.

Note Verbale.

(Translation.)

WITH reference to the verbal communication made at the Consultà by his Excellency the British Ambassador respecting the British proposal to impose anchorage and tonnage dues on ships arriving at Zanzibar, the Ministry of Foreign Affairs will be much obliged if Lord Currie will let them know on what grounds Her Majesty's Government does not consider itself able to accept the condition marked as No. 3 in the note of the Ministry of Foreign Affairs, dated the 21st September.

This condition, which would insure the employment of the funds derived from the new tax in the construction and maintenance of the lighthouses along the coast of the Island of Zanzibar and in the illumination of the port, is intimately connected with that which the Marquess of Salisbury himself put forward in his Circular of the 3rd January last, addressed to British Representatives in the countries having Treaties with the Sultanate, and according to which provision is made for the reduction of the tax whenever it may hereafter have become disproportionate to the expenditure.

From this it would appear clear that according to the intentions of the British Government, the tax should be reduced when a portion of the amount received from it would be no longer necessary for the object for which it was proposed, thus avoiding the eventuality that the proceeds of the tax itself can be employed for other purposes.

Rome, November 14, 1899.

No. 72.

Treasury to Foreign Office.—(Received November 22.)

Sir, *Treasury Chambers, November* 21, 1899.

THE Lords Commissioners of Her Majesty's Treasury have had under consideration Mr. Bertie's letter of the 14th ultimo, further on the subject of additional vessels for the Uganda Protectorate.

The original proposal recommended by the Marquess of Salisbury was to provide a steam-launch and a steel sailing-boat at a cost of 3,000*l.* and 2,000*l.* respectively. It is a matter of satisfaction to their Lordships that the Secretary of State sees his way to withdraw that part of the proposal which relates to the steel sailing-boat.

As regards the launch, his Lordship is aware of the strong views entertained by this Board against putting further vessels on Lake Victoria either before the results of the authorized survey can be utilized for determining their design, or before the completion of the railway to the Lake makes it possible to avoid the heavy expenditure entailed by other means of transport than the railway.

From Mr. Bertie's letter of the 9th ultimo my Lords were glad to learn that these views were accepted by Lord Salisbury with regard to the two steamers for service on the same lake, the purchase of which was sanctioned by the Treasury on the 13th June last as a charge against Uganda Protectorate funds. These two steamers, the cost of which has been provisionally estimated at 36,000*l.*, are expected to be ready for erection on the Lake in March 1901, when the railway reaches Ugowe Bay; and they will then establish regular steam communication between the railway terminus and Port Alice on the western side for the transport (*inter alia*) of Government passengers and stores. It was the practical necessity for such a means of transport which decided this Board in favour of incurring capital expenditure on so large a scale for these two steamers; and, as the object in view for the proposed launch is represented as the great saving in time and cost of transport between the eastern side of the Lake and Port Alice, and as such a launch could not be delivered at the Lake—unless at prohibitive cost of transport—at a date appreciably earlier than that at which the large steamers will be afloat, my Lords would ask whether it is not possible to withdraw the request for additional expenditure in sending out a launch. They have already sanctioned the provision of two sailing-dhows for service on Lake Victoria at a cost of about 5,000*l.*

I am, &c.
(Signed) FRANCIS MOWATT.

No. 73.

Foreign Office to Sir H. Johnston.

(No. 230.)
Sir, *Foreign Office, November* 23, 1899.

THE Marquess of Salisbury has received Colonel Ternan's despatch No. 206 of the 1st September last, proposing certain reductions in the pay and allowances of the officers and men of the Uganda Rifles, and I am directed by his Lordship to inform you that he wishes the matter of the language allowances to remain as a bonus of 50*l.*, as settled by my despatch No. 118 of the 5th August last, pending your general report on the finances of the Protectorate.

A further despatch will be addressed to you respecting the salaries of the European officers and the pay of the men.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 74.

Foreign Office to War Office.

Sir,

Foreign Office, November 23, 1899.

WITH reference to the letter of the 6th ultimo from this Department, asking that officers may be selected to fill the places of those now serving with the Uganda Rifles who wish to resign their appointments, I am directed by the Marquess of Salisbury to state to you, for the information of the Secretary of State for War, that Colonel Ternan, Her Majesty's Acting Commissioner and Consul-General in Uganda, has proposed that the pay of Captains and of Lieutenants in the above-mentioned force shall, in the case of new appointments, be reduced from 600*l.* a-year to 540*l.*, and the pay of Lieutenant from 500*l.* to 420*l.*

A copy of Colonel Ternan's despatch on the subject is inclosed.*

The Uganda Protectorate requires a very large grant-in-aid from Imperial funds, and Lord Salisbury is anxious to effect any economies that will not endanger the efficiency of the Service, and would, therefore, be glad to sanction the reductions now proposed by Colonel Ternan if they will not, to any appreciable extent, either increase the difficulty of filling the military appointments or lower the general standard of the officers willing to serve in Uganda.

I am to inquire whether the Marquess of Lansdowne is of opinion that the proposed reduced rates of pay may safely be offered in the case of any officers not yet nominated for Uganda.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 75.

Foreign Office to Intelligence Division.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Director of Military Intelligence, and, by direction of the Marquess of Salisbury, forwards a copy of a despatch from Her Majesty's Acting Commissioner in Uganda,* in which he reports that he has ordered that the pay of the privates in the Soudanese Companies of the Uganda Rifles shall, pending directions to the contrary from the Secretary of State, be reduced in the case of men joining after the 1st instant to 18 rupees a-month, the pay of the privates in the Indian contingent serving in Uganda.

Lord Salisbury wishes to receive any observations which the Director may have to make on this reduction of pay.

Copies of letters are inclosed in regard to the pay of the European officers, and to the matter of the bonus for a knowledge of the native languages.†

The Under-Secretary of State is directed to ask for an early reply to this note.

Foreign Office, November 23, 1899.

No. 76.

Foreign Office to Treasury.

Sir,

Foreign Office, November 25, 1899.

I HAVE laid before the Marquess of Salisbury your letter of the 9th instant, inclosing the draft of a lease to Mr. Rule of certain pearl fisheries off the coast of the East Africa Protectorate, and I am directed by his Lordship to suggest, for the consideration of the Lords Commissioners of Her Majesty's Treasury, the addition of a proviso reserving to Her Majesty's Government the right of altering the terms at the end of the first ten years instead of simply renewing them.

Should their Lordships concur in this suggestion, I am to request that the draft which is returned herewith should be forwarded to the Treasury Conveyancing Counsel, in order that it may be amended accordingly.

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* No. 30.

† Nos. 73 and 74.

With reference to the second paragraph of your letter under reply, I am to explain that no offer but Mr. Rule's has been made for the fisheries in question.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 77.

Foreign Office to Mr. Cave.

(No. 187.)
Sir, *Foreign Office, November* 26, 1899.

THE Marquess of Salisbury has had under his consideration your despatch No. 173 of the 5th ultimo, inclosing copies of correspondence with the authorities in German East Africa on the subject of the claim which has been put forward by Seyyed Khaled to the estates of the Sultan of Zanzibar in German East Africa.

In the letter which you addressed to General Liebert on the 4th ultimo, of which a copy forms Inclosure 3 in your despatch, you state that it is "the obvious duty of a State which grants an asylum to a refugee from another neighbouring and friendly State to take care that the interests of the latter are not injuriously affected by any action which the fugitive may take, so long as he is in the enjoyment of that asylum."

I am directed by his Lordship to point out to you that the doctrine thus laid down involves a serious limitation on the principle of absolute right of asylum which has always been maintained by this country, and is therefore a dangerous one to insist upon in any communication addressed by an official in Her Majesty's Service to the Representative of a foreign country.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 78.

Foreign Office to Board of Trade.

Sir, *Foreign Office, November* 28, 1899.

I AM directed by the Marquess of Salisbury to transmit to you, to be laid before the Lords of the Committee of Council for Trade, the inclosed copy of a Notice issued at Zanzibar reimposing a duty of 5 per cent. *ad valorem* on imports, with certain exceptions stated in the Notice, and also a copy of the Bonding Regulations issued at the same time for the port of Zanzibar.*

I am to suggest that attention should be called in the "Board of Trade Journal" to the Notice and to the Regulations.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 79.

Acting Commissioner Ternan to the Marquess of Salisbury.—(Received November 29.)

(No. 227.)
My Lord, *Port Alice, September* 23, 1899.

I HAVE the honour to report that Lieutenant Bryde, of the Congo Free State, has arrived at Tunguru, on the west shore of the north end of Lake Albert, where he is about to establish a station.

It would appear probable that in the interests of local administration, it will be desirable, before long, to mark out on the ground the border between British territory and the portion leased to the Congo Free State.

I have, &c.
(Signed) TREVOR TERNAN.

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* Inclosures 1 and 2 in No. 20.

No. 80.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received November* 29.)

(No. 229.)

My Lord, *Port Alice, September* 26, 1899.

I HAVE the honour to inclose the estimate for the year 1900–1901 for the Uganda Protectorate.

The expenditure proposed is less than the estimated expenditure of the current year by 26,552*l.*, including a reduction of 15,000*l.* on the coast to Uganda transport.

The latter sum I cannot estimate accurately, as I am unable to communicate with Dr. Mackinnon in time, but it is hoped that the great reduction in the number of loads to be carried owing to the local production of the Indian rations, the reduced length of road to be traversed, and the presumably comparatively small outlay next year on animals and carts will greatly tend to reduce expenditure, and I trust that a reduction of 15,000*l.* will be, if anything, an under-estimate of the saving under this heading.

As regards the civil estimate, it will be observed that the number of civil assistants has been reduced considerably from the previous estimate, it being intended that in many of the minor stations the civil and military duties should be combined, and carried out by the Military Officer Commanding the garrison, as is the case at present; and as regards the Unyoro and Nile districts, I think that for at least another year the existing arrangement, by which the Military Officer Commanding the troops in the district shall also act as Sub-Commissioner should be maintained. The time has hardly perhaps arrived in either of these districts for a very active civil régime, the former district requiring only a period of peace and security in order to recover from the exhaustion of many years of struggle, and the latter district being as yet too savage and unaccustomed to British Administration to be suited to or to appreciate the benefits of a purely civil rule, which I think should not be attempted too early.

As regards the rates of the salaries of the civil assistants, I would particularly draw your Lordship's attention to the necessity, in my opinion, of increasing the pay of the 3rd class assistants from 200*l.* to 250*l.* per annum, the former sum, owing to the high price of necessaries in Uganda, being barely sufficient to enable an officer to pay his way, and the consequent local expenditure prevents him from accumulating a small sum to defray his expenses when on leave.

With reference to the question of language allowances, it would appear to me to be an unnecessary expense to pay an officer 50*l.* per annum on this account, and, in the case of new officers, I have estimated a bonus of 25*l.* in lieu, which appears to me to be an adequate reward.

Great difficulties exist at present owing to the total inadequacy of the clerical staff, and much time is wasted by officials, who could be much more usefully employed, in copying out their correspondence. I have endeavoured to remedy this by estimating for a slightly increased number to allow of a sufficiency of clerks being supplied at stations where the clerical work is heavy.

I should add that the regulations concerning the registration of porters have increased very largely the clerical labour at various stations, but the revenue thus obtained very largely exceeds the expense of maintaining the extra clerical staff. In the interests of the accounts an edequate clerical staff is essential.

It will be observed that I have separated the medical department from the prisons, the two departments having no connection at all in practice, and I have also treated the civil police as entirely separate, as it is, from the military department. I have appended separate remarks on the military estimate which shows a reduction of over 8,000*l.*, though various considerable sums (such as local improvised transport of military loads to out stations) have been included in the military estimate and not as formerly lumped together in the local transport, an item of the civil estimate.

The medical staff asked for is, in my opinion, still very small, considering the area over which it has to work and the number of posts.

As regards the prison department, a new feature is the European (an army non-commissioned officer is contemplated) to act as prison keeper at Kampala, and another to have charge of the Kampala police. Both these are, in my opinion, absolutely necessary, as I have previously reported to your Lordship, if any proper discipline and routine are to be maintained. I have also allowed for a small number of female warders which appear o me to be desirable.

It will be observed that a small printing press has been asked for. It was hoped that this would be unnecessary as the Church Missionary Society published a Circular some time ago stating that they were prepared to carry out printing of all kinds. Unfortunately, after a trial they find that they quite overestimated their capabilities in this direction, and have consequently notified their inability to carry out this work.

The number of civil and military circulars, orders, regulations, and forms which require to be printed is very large and is increasing, and the use of a Government press will not only very greatly facilitate the administration of the Protectorate by enabling an adequate number of copies to be struck off and circulated speedily, but in the end will be found to be most economical, as the saving of the cost of printing at the coast will be very considerable.

The desirability of forming an elephant department I have previously referred to your Lordship. It appears to me that such a department is necessary if the preservation of the elephant in this part of Africa is desired. As these animals will eventually be of great use for transport purposes, their slaughter by natives for the sake of ivory appears to be indefensible, and I would strongly recommend that the killing of elephants be made illegal.

It will be difficult in many parts of the Protectorate to at first enforce such a Regulation, but in others it can be carried out if adequate arrangements be made. It seems to me that if any hunting of elephants be allowed it is practically impossible to control the natives as regards the numbers, and a vast number are needlessly wounded in consequence of their savage methods of hunting. Total prohibition of elephant hunting appears desirable.

As regards the heading "Steamers and Launches," I am including the sum of 1,700*l.* on account of a steel boat for use on Lake Victoria, and another on the Nile.

Both these are very necessary, the former to assist in the transport of loads from Port Ugowe to Uganda, which traffic will be mainly conducted by dhows of local build, and the latter to assist in carrying on the river transport between Lake Albert, Wadelai, and Dufilé, the present boat on the Nile being worn out and the canoes being extremely expensive to maintain and very unsatisfactory. The steam-launch "Nelly" is far too small to be of much value for transport purposes.

To refer to the revenue, I have estimated a small increase on account of the expected increase of trade, but I would venture to point out to your Lordship that, as the railway advances, the revenue from import duties of this Protectorate will, under present arrangements, decrease. At present practically all the merchandize brought up by the northern route pays duty to the Coast Protectorate at Mombasa, and Uganda is not credited with it. As it is calculated that the duty thus obtained by the Coast Protectorate on behalf of the Uganda Protectorate, but not credited to the latter, amounts to about 5,500*l.* per annum, I have ventured to include 5,000*l.* of this sum in this estimate, trusting that your Lordship may think fit to order this allocation of the money, in which case the balance of 500*l.* over and above the 5,000*l.* would be retained by the Coast Protectorate in payment of the Uganda share of the upkeep of the harbour, &c.

Unless this is done the advance of the railway, and consequently the discontinuance of the use of the German route, which at present produces a small amount of revenue, will throw practically the whole of the imports revenue of this Protectorate into the Treasury of the Coast Protectorate, and an incorrect and misleading result will be obtained as to the respective financial condition of both.

The revenue from the mail service is steadily advancing, and I have thought that an increase of 500*l.* may confidently be expected in next year's postal revenue.

It is hoped, judging by present results, that an income of 1,500*l.* will be brought in on account of fees collected under the new Porters Regulations.

As regards exports, the revenue obtained from the export of ivory, which is not large, may be expected to fall, but on the other hand the export of rubber will doubtless very soon become an important item. The collection of rubber is now being commenced by native traders on a more systematic method than formerly, and steps are being taken to encourage and assist the traders in every way in this direction. In this connexion I would point out that the absence of any really pushing European pioneers possessed of a little capital is at present a source of regret; what trade there now is is in the hands of two or three European firms and a number of Arab traders. The trade is confined principally to sales to Government of trade goods on behalf of the pay of the troops and Government native staff, augmented by a very minor trade in ivory. The natural resources of the country, irrespective of ivory, which cannot be looked upon as a permanent article of traffic, have hardly been touched, and in consequence at present the revenue obtained may be roughly described as merely the collection from the troops and

Government officials of a percentage of their official incomes, through the medium of traders.

When the railway has brought the Mau forests into touch with the coast a very considerable traffic in timber may be expected, but it is doubtful if any appreciable revenue can be looked forward to from this source next year.

I have, &c.
(Signed) TREVOR TERNAN.

Inclosure in No. 80.

Explanatory Notes on Military Estimate, 1900–1901.

[The other Inclosures are not printed.]

Head-quarters Staff.

THE staff now estimated for has been found by experience to be necessary; the staff work, owing to the great number of military stations, is particularly heavy.

British Company Officers.

2. The pay of new officers (Captains and Lieutenants) has been considerably reduced in comparison with the present rates, viz., Captains from 600*l.* to 540*l.* and Lieutenants from 500*l.* to 420*l.* New British non-commissioned officers sent out should be able to assist the Captain of the company in keeping the company accounts.

District Staffs.

3. A reduction of 2,100*l.* in Districts Staffs has been effected by the combining of the duties of Adjutant and Quartermaster, in each military district, in one staff officer. It is hoped that this arrangement will be satisfactory.

In the native staff of the military districts a reduction has also been made amounting to 342*l.*

Indian Battalion.

4. The expenses of maintaining this battalion amount to 16,796*l.* (apart from transport). This is practically the same as was roughly estimated for the current year, viz., 17,000*l.*

Pay of Troops.

5. The pay of newly enlisted men after the 1st November, 1899, has been put at 18 rupees, instead of 20 rupees per month, and consequently a saving has been made in that direction, but I have found it necessary to add slightly to the establishment of the rank and file of each company, to enable the necessary garrisons to be found, and also to increase the number of local companies from 15½ to 16.

The increase in respect of pay of local companies is about 2,400*l.*

Clothing.

6. The scale of clothing has been somewhat changed with a view to economy and increased efficiency.

No further supplies of blue clothing will be ordered and khaki will be applied for wholly in future, but the supply of the blue at present in stock is sufficient for all purposes next year, and it will be used up; therefore the khaki is not being ordered for next year.

The term of wear of blue clothing has been increased from one year to two years, that of greatcoats from three years to four years (the period of service of soldier), blankets from one year to two years, boots one pair per annum, instead of two pairs, except under exceptional circumstances. By these arrangements a comparatively small amount of clothing is required for next year from England, though an issue of socks is thought desirable, which has not been hitherto given.

Packing.—The attention of the Crown Agents should, I think, be called to the absolute necessity which exists for packing the bales of clothing of all sorts in a wrapper of tarred canvas and the contents and number of the requisition should be clearly painted on one side and both ends of each package. At present many loads arrive on which there is no legible mark, and confusion occurs in consequence. Unless tarred canvas is used great damage and loss is caused to the contents of the bales *en route*. I am allowing the sum of 800*l.* to cover packing only.

I would ask that the description of articles of clothing, equipment, &c., given in the "column of remarks," in each list, may be particularly brought to the notice of the Crown Agents.

Gratuities.

7. This is a new item, and is calculated as a probable requirement for 1900–1901, but it is difficult to arrive at any accurate amount, as it will depend entirely on circumstances which cannot at present be foreseen. This item includes gratuities to Indian soldiers invalided out of the service, and native officers and men of the local companies who may be entitled to gratuities on account of discharge or wounds.

Native Staff.

8. The native staff of the Quartermaster's store, Commissariat Officer's Department, and local Military Transport Department are placed as low as possible. I have already explained my views fully on the subject of the formation of the Commissariat and Transport Departments in previous correspondence, and need not here refer further to them.

Permanent Military Transport.

9. I have given my views fully on this subject in my despatch No. 212 of the 5th September, 1899, and trust that this item will be favourably considered. The absence of a systematic Transport Corps for local requirements in the road and Nile military districts is seriously detrimental to efficiency and economy.

Improvised Military Transport.

10. The expenses connected with the improvised local transport are estimated as accurately as possible for the actual number of loads of each kind which will be moved from head-quarters to out districts next year. In the 1899–1900 estimate no sum was allowed for this, as these loads were supposed to be included in the sum allowed in the Civil Estimates for local transport purposes, but the arrangement now asked for is very much better in every way.

It is hoped that next year a considerable proportion of the military loads required to be carried by water from Fajau to Wadelai and Dufilé, for distribution to the other stations, will be taken by the steam-launch which, by that time, should be on the Fajau-Dufilé reach of the river, arrangements having been made to bring it back from Fort Berkeley, but the steel boat now on that reach is reported as being practically worn out and unseaworthy.

Should the launch be available, a saving in maintenance of the forty canoes otherwise required and now in use, and allowed for in this estimate, will be made. I have not included the pay of an English sergeant in the canoe expenses, though one is necessary to take charge of the convoys and the stores *en route*, as I hope to be able to spare one from one of the companies, as I am at present doing for this work.

Loads from Coast.

11. It will be observed that, in consequence of the efforts being made to grow certain articles of the Indian rations locally, which I trust will be successful, a large saving in the amount of loads of rations required from India will be made, and consequently in the road transport expenses.

I calculate that only 1,200 loads of Indian rations will be required from the coast, the remainder, viz., 7,000 loads approximately, being produced locally.

This means a reduction of transport expenses of about 32,670*l.* per annum, at present transport rates, viz., 70 rupees per load, and for next year, presuming that the advance of the railway will have considerably reduced the rates, say, even to so low a rate as 40 rupees per load,* the saving will in 1900-1901 amount to about 14,000*l.*, but it is very doubtful if the sum per load will be reduced so low as 40 rupees, though I allow this so as to be well within any possible reduction of present rates. It is probable that the saving will be much larger.

The actual price of the rations grown locally will be approximately the same as the Indian prices, so that little or no difference will occur in this respect.

Maxim-gun Squads.

12. There is an increase of four squads in this item to allow of one squad per gun. As the guns are widely separated, this item is necessary.

The result of forming these squads has been found to add very greatly to the value of the guns, which can now be carried and worked rapidly and systematically, which was previously impossible.

Shooting Prizes.

13. There is a slight increase in this item which I trust may be approved, as it is very essential that thegood shooting of the troops, which is still very indifferent, should be encouraged as much as possible.

Martini-Henry Ammunition.

14. The amount of Martini-Henry ammunition at present in the country and *en route* amounts to 400 rounds per rifle, and is adequate for musketry courses (50 rounds per rifle), and all other purposes, so no further supply has been ordered.

Hotchkiss Ammunition.

15. I am asking for sufficient to complete the rounds per gun (three) to 400. This amount is not too large. The gun is rapid firing and a fair supply of ammunition should be in the country.

Military Buildings.

16. The sum is very small compared with the requirements, and is only calculated to allow of magazines and stores being built of mud bricks, and of grass huts, or in some cases wattle and daub erections being supplied for the use of officers and men at such stations where they do not at present exist, and for the repair of the present huts in use. It is very necessary that huts which answer to the purpose of barrack-rooms should be supplied for all companies, Indian, Soudanese, Swahili, and Waganda, as otherwise the proper supervision of the men and the Government arms and other property of the Government in their possession cannot possibly be maintained.

By using the labour of the troops the work is done as cheaply as possible, but in all cases the wood, poles, &c., required for roofing have to be collected frequently from long distances by parties of natives, and have to be paid for at the rates varying at each station.

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* No provision is made here for payments to railway for freight.—H. H. J.

Depôt.

17. This expenditure cannot well be further reduced. I have previously reported on this item, and need not now refer further to it.

Interpreters.

18. Number reduced by two.

Language Bonus.

19. A saving will be effected by substituting a bonus for officers and non-commissioned officers passing language examinations for an annual allowance. This has already been suggested in my despatch No. 206 of the 1st September, 1899.*

Contingencies.

20. It having been possible this year to form a more accurate estimate of expenditure under each heading, I have been enabled to considerably reduce this item, viz., by 550*l.*

Stationery.

21. The stationery expenditure remains the same as last year, no reduction being possible.

Medical Officers.

22. It will be observed that the expenses of the Indian battalion include the salary of certain medical officers, which should perhaps more correctly be a charge against the Medical Department.

(Signed) TREVOR TERNAN, *Colonel,*
Commanding Troops.

Port Alice, September 25, 1899.

No. 81.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received November* 29.)

(No. 232.)
Port Alice, September 27, 1899.

My Lord,

I HAVE the honour to report that Captain Hicks, commanding the troops at Fadfow, reports that Lieutenant Bryde's party at Tunguru's Mahagi, consists of 100 soldiers; Congo dwarfs about 4½ feet high.

This party apparently has left Tunguru's and has moved south towards Kavalli's.

Natives report that a large force which is following this advanced party, and is coming from the direction of Dufilé, is proceeding to occupy the Kavalli's district.

I have, &c.
(Signed) TREVOR TERNAN.

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* I, of course, utterly disapprove of either language allowance or bonus. Such things are not granted in other Protectorates. I should prefer substituting for this a rule providing that in the event of an officer or N.C.O. not satisfying the Commissioner after one year's service that he was sufficiently acquainted with Arabic, Swahili, or Luganda should be disqualified for advancement or retention.—H. H. JOHNSTON.

No. 82.

Acting Commissioner Ternan to the Marquess of Salisbury.—(*Received November* 29.)

(No. 234.)

My Lord,

Port Alice, September 28, 1899.

I HAVE the honour to forward copy of a letter received from Archdeacon Walker on behalf of the "Protestant Church of Uganda" (as entirely distinct from the Church Missionary Society), on the subject of the Church lands (not Church Missionary Society lands).

This letter is the upshot of a conversation on the same subject which I lately held with the Archdeacon, resulting upon inquiries which I have been making into the land question generally, and calling for the details of the titles under which aliens hold land in this Protectorate.

In reply to his letter I have informed Archdeacon Walker that the question really amounts to a request on the part of the Protestant Church to be endowed with State lands, and that I should be obliged, in view of the principle involved, to refer the matter to your Lordship for decision.

I am quite in accord with the Archdeacon's remarks as to the utility of some such arrangement, it being undoubtedly true that the churches in Uganda, both Protestant and Catholic, practically carry on the work of elementary education in addition to their usual functions, and, in the interests of progress and civilization it would appear desirable that the Uganda tribe should support the churches in this direction, and as it cannot do so by an annual grant of money owing to the absence of any adequate local revenue, grants of land would appear to be the only other alternative.

As your Lordship will observe, however, the recognized endowment of the Protestant Church will doubtless lead to demands of a similar character on the part of the Roman Catholic Church, and possibly of the Mahommedan Church.

The lands which are now occupied by the Protestant Church amount to eighty-three shambas, the area of which, owing to the absence of plans, cannot be ascertained, but they undoubtedly form in all a very large estate.

The Roman Catholics will probably ask for a proportionate amount of land.

Should your Lordship decide that the churches in Uganda may be endowed in this way, it would appear to me desirable that the conditions under which the land is to be held, should be a matter for Her Majesty's Commissioner to arrange locally.

At present, the Archdeacon informs me that, persons living on these Church lands are exempt from payment of taxes to the King, military service in case of war, and have advantages in other directions, such as immunity from feudal labour, not enjoyed by the remainder of the Waganda public.

These and similar matters appear to require consideration and possibly adjustment, as otherwise the combined efforts on the part of the churches to obtain converts who will live on these lands, and the evident advantages to be gained by the people who do so is not unlikely to lead to a diminution of the numbers of persons throughout the Uganda district who would be liable to pay taxes or to fight.

As your Lordship will observe, Archdeacon Walker is willing that a clause should be inserted in the title-deeds to the effect that the land shall only belong to the Church while it is utilized for church purposes. It would, I think, be certainly desirable to make such a condition.

As regards the various plots of land at present occupied by the three Missions (as separate from the native churches) I have examined their titles and have definitely made over these lands as Mission property, giving to each Mission a legally drawn up document, specifying as accurately as possibly the areas and boundaries of each piece of land.

This was necessary, as it was not only desirable that the areas and boundaries of the estates already held by the Missions should be once and for all definitely fixed and legally decided, but also that the tendency of the Missions speaking generally to treat the acquisition of land by a Mission as a matter of arrangement merely between themselves and a local Chief should be checked.

It is now I think quite understood that all questions concerning the acquisition of lands by Missions or others are decided by Her Majesty's Commissioner.

I have, &c.

(Signed) TREVOR TERNAN.

Inclosure in No. 82.

Archdeacon Walker to Acting Commissioner Ternan.

Dear Colonel Ternan, *Namirembe, September* 26, 1899.

AT the wish of the Native Protestant Church of Uganda, and with the consent of Bishop Tucker, I bring to your notice the fact that for a long time past gardens ("shambas") have been given by the King and Chiefs of Uganda for the support of the Protestant Church of Uganda.

The members of this Native Church, which is in communion with the Church of England, are anxious that you should examine the title-deeds by which they hold these Church lands, so that if there is anything faulty in them, it may at once be put right.

That you may the better understand the position, let me briefly give you an account of the whole matter.

As long ago as 1891 it was felt that the Protestant Church of Uganda should not build its churches on sites belonging to the Church Missionary Society.

Then, in 1893, when some of the native Christians were ordained as clergy of the Protestant Church in Uganda, it, of course, became necessary to provide for their support. This was done by the King and Chiefs giving gardens to the Protestant Church. Then, as the work developed and teachers were sent out, under the direction and control, to some extent, of ths Church Missionary Society, it became necessary to apply for sites for churches and for European missionary houses, and for gardens for the support of these missionaries and native teachers working under them.

The King and Chiefs therefore gave sites and gardens all over the land for this purpose, and a regular organized system of instructions was set on foot all over the country.

As Colonel H. Colville (as he then was) had issued an order that only such property as was registered at Kampala would be considered to be held legally, Mr. Berkeley was asked in 1896 what should be done about the property held by the Native Church of Uganda. Mr. Berkeley informed me that Native Church property should not be registered in the Consular Court of Uganda, but that it should be registered in the Native Government Court in his presence. Mr. Berkeley further informed me that if a list of the holders of Church gardens, together with the names of such gardens and their location, was drawn up, he would have it read out in the native baraza, and that if the King (Mwanga) and the Chiefs agreed to the list, then he would sign his name to it. Mr. Berkeley informed me that he was of opinion that such a deed would form a sufficient title-deed for the holding of Church lands.

The list was therefore made out and presented to the King and Chiefs. Owing, however, to disputes arising about the boundaries of some of the sites on the list, there was some little delay in the signing of the paper. Eventually, in November 1896, the list was made out to the satisfaction of all parties concerned, and on the 1st December, 1896, Mwanga, the King of Uganda, Apollo Katikiro, Mugwanya Katikiro, Paulo Kago, and other territorial Chiefs of the first rank, signed the paper.

This was all done in accordance with Mr. Berkeley's instructions, and therefore Mr. George Wilson counter-signed the document in Mr. Berkeley's place, as he had left Kampala a short time previously (not more than two or three weeks, I think).

As the work has developed and more European missionaries have come to live in the country, from time to time it has been necessary to apply for new sites, and for additional land to cultivate as gardens. These sites and pieces of land have been given by the Chiefs, in the King's name, when it was shown that they were really needed.

There are now some twenty ordained native clergy and more than 200 native teachers, who are all supported by the Native Protestant Church of Uganda. Therefore, to the carrying on of this work, it is absolutely necessary that the Church should have sites for teachers' houses, for churches and schools, and gardens to provide food for the support of the teachers. In many cases the ground given was at the time uncultivated (called "mutala"), and has been brought under cultivation by the teachers themselves.

There is no tract of uncultivated land held as the property of the Church;

a complete list can be supplied of all lands held by the Church, and it will show how small the pieces really are, though widely spread throughout the country. All the lands the Church holds is used for the furtherance of religious education, the purposes for which it was given to the Church.

These lands are administered by the ruling body in the Native Church, known as the "Church Council;" a list is kept of the names of the members of this body; all of them are natives, many of them laymen, and some of them Chiefs. The European missionaries are only regarded as visitors and advisers in the Church Council; they do not, with the single exception of the Bishop, form part of it.

You will remember that just before you left for Europe in 1897, you particularly asked that we would open stations in Buddu in connection with our Mission. We therefore at once set about it, and as we had not European missionaries that we could then spare for this work, we sent down to Buddu native teachers. Of course, it was necessary for us to obtain sights to build on, and land that might be cultivated for the support of the teachers. After considerable trouble, these sites and pieces of land for cultivation have been obtained.

I mention this that you may see from a recent case how absolutely necessary it is for the carrying on of the work of the Church that it should have sites on which to build churches, schools, and houses, and gardens to supply food for the teachers.

I presume that there can be no question as to the value of the work of the Native Church as an educational and civilizing agency in the country. And on this footing, if on no other, it deserves the support and encouragement that can be properly given to it. We can hardly advise the natives to build substantial churches of brick, as in many cases they are anxious to do, if there is no prospect of the Church's title to the land on which the churches are built being recognized by the Uganda Administration. And, of course, the same would apply to the dwelling-houses rhat are built for the carrying on of the Church work, and to the ground cultivated for the support of the teachers.

In bringing this letter to a conclusion, I would ask you, therefore, kindly to confirm the gifts of land, *i.e.*, the sites occupied by churches, schools, European and native teachers' houses, and the gardens that are being cultivated for providing food for the support of those engaged in Church work, that from time to time have been made to the Protestant Church of Uganda.

But as we should be sorry to see the Church becoming wealthy out of proportion to the work it does, I think I would be quite fair, and in accordance with the wishes of the native Christians, to introduce the words: "So long as these lands are used for the purpose for which they were originally given, they shall be regarded as the property of the Protestant Church of Uganda."

May I remind you that the list of these Church lands looks a long one, not because the ground held by the Church is very much, but because it is so widely distributed over the whole country, each little bit of land making a fresh entry on the paper.

Yours, &c.
(Signed) R. H. WALKER

Annex.

Note by Sir H. Johnston on Acting Commissioner Ternan's despatch No. 234, *Uganda,* 1899.

AT Colonel Ternan's request I have read through the foregoing despatch, No. 234, in common with others which he has sent me for transmission to the Foreign Office.

I would propose, firstly, that no action be taken on the matter until I can reach Kampala and make a report on the question. At the present time and with such information as I now possess I should be disposed decidedly to discourage the endowment of any native church of any kind with land. I would say to the Chiefs, as I have said to other Chiefs in British Central Africa, "The matter is entirely one for your private action. If you wish to support a native pastor of a native church of any denomination you can do so by allotting to the sect sites of your own land or tribal land under your control, just sufficient for church and schools and residence of teachers(You can further support the sect of which you are followers as you please by money payments or gifts of food."

But this style of language has been held to men who had already surrendered to the British Government the control or the ownership of the waste and unoccupied land in their territories.

This condition has not yet been attained in Uganda, but in view of the absolute necessity of the said control over land being obtained, and of the Protecting Government being able to secure the endowment of the future State of Uganda with the bulk of the land as the main source of its self-supporting revenue, it is extremely undesirable that any action should be allowed which would either let the land go away in endowments or private ownership without benefit to the State, or, above all, that any step should be taken to legalize the existence of a privileged class of individuals in Uganda who are not liable either to the payment of taxes er military service. This last point is one on which we should be rigid. It would be a fatal step in the future interests of this African dominion that any one section of it or any class of people should occupy a privileged position releasing them from the ordinary obligations of citizens.

Upon reaching Uganda I shall endeavour as quickly as a due regard for local conditions permits, to acquire complete control over the disposal of the land. Having done this, I should be disposed (acting with the powers conferred on me) to allot sites here and there for churches and schools and residences of teachers on long leases, subject to the understanding that when the site ceased to be occupied by the sect to which it was granted, or for the religious purposes originally cited, it lapsed to the Crown.

The reasonable endowment of Missionary Societies which are known to be doing good work is another question. No doubt Her Majesty's Government would wish me to be in Uganda as I was in British Central Africa, fairly generous towards the missionaries in regard to their land claims. This can be done without any appreciable alienation of the bulk of the soil. But the admission of any section of the population or any tribe to a privileged position as regards the future support of the Protectorate is one totally contrary to the tenour of the instructions which I have received, and unless the Foreign Office should reverse those instructions I shall steadily endeavour to gently but firmly enforce upon all the peoples of Uganda and the adjoining territories the eventual necessity of their contributing, so far as their means permit, to the support of the Protectorate.

(Signed) H. H. JOHNSTON,
Her Majesty's Special Commissioner.

No. 83.

Mr. Cave to the Marquess of Salisbury.—(Received November 29.)

(No. 187.)
My Lord, *Zanzibar, November* 2, 1899.

I HAVE the honour to report, with reference to your Lordship's despatch No. 102 of the 24th March last, and to previous correspondence on this subject, that Abu-bekr-bin-Abdullah, the Arab who claimed German protection on the ground of his having been resident on the German coast at the time when the German flag was hoisted there, died recently in his house at Zanzibar.

His Highness the Sultan, acting on the advice of the British Court, immediately took charge of the deceased's effects, and appointed a responsible person to administer the estate.

The German Consul came to see me a few days ago and asked me whether any further proceedings with respect to the property could not be postponed until such time as the question of Abu-bekr's nationality had been finally disposed of. I replied that Her Majesty's Government, after a very careful consideration of the arguments advanced by his predecessor, had decided that Abu-bekr-bin-Abdullah was, without doubt, a subject of His Highness the Sultan, and that my instructions were so clear on the point that I was not in a position to reopen the question. The German Consul said that he did not necessarily wish to infer that he would not be prepared to accept the view adopted by Her Majesty's Government, but that that view had not yet been adopted by the Imperial authorities on the coast, and he pointed out that, in the event of the Sultan's right to administer the estate not being acknowledged by the German

Court, it might possibly lead to goods belonging to Indian merchants trading with the German Colony, who had been paid their claims by the Administrator here, being seized on arrival on the coast to meet other claims which had been duly substantiated before the Imperial judicial authorities. He did not ask that any steps had already been taken should be annulled, but suggested that proceedings might be stayed until he had had an opportunity of examinining Abu-bekr's son, who was expected to come over to Zanzibar within the next few days. I answered that so long as my action was not construed as an admission that any doubt existed as to the status of Abu-bekr-bin-Abdullah, I saw no objection to acceding, on the ground of courtesy, to the above suggestion, and I accordingly requested His Highness not to proceed with the distribution of the property until he received a further communication from this Agency.

On the 23rd ultimo I received a note from Baron von Rechenberg, of which I have the honour to inclose a copy herewith, stating that, after questioning the son of Abu-bekr, he was of opinion that the latter, although he was actually present when the German flag was hoisted, should be held for purposes of nationality, to have had his residence at Zanzibar, and that he had, therefore, no further objection to offer to the administration by the Sultan of that portion of the estate which is situated in Hi Highness' dominions.

I have, &c.
(Signed) BASIL S. CAVE

Inclosure in No. 83.

Baron Rechenberg to Mr. Cave.

Kaiserlich Deutsches Konsulat, Zanzibar,
le 23 *Octobre*, 1899.

Cher Monsieur Cave,

J'AI l'honneur d'introduire chez vous le fils d'Abu-bekr, qui est domicilié à Chole depuis le règne de Seyyid Bargash, et par conséquent sujet Allemand.

Je l'ai questionné sur le domicile de son père et je suis enclin à croire d'après ses réponses que son père avait son domicile à Zanzibar et que sa présence à Chole au mois de Janvier 1891 n'avait que le caractère d'un séjour passager. Si vous êtes d'avis que le domicile et non la présence est décisive pour la question de nationalité, je laisserais le réglement de la succession d'Abu-bekr aux autorités Zanzibarites, et je vous prierais seulement de seconder son fils, qui est sujet Allemand, dans les démarches qu'il aura à faire comme héritier présomptif. Dans des questions qui ont surgies auparavant, Mr. Hardinge et moi avaient [*sic*] regardé le domicile comme décisif.

Votre tout dévoué,
(Signé) Baron RECHENBERG.

No. 84.

Mr. Cave to the Marquess of Salisbury.—(*Received November* 29.)

(No. 190.)

My Lord,
Zanzibar, November 2, 1899.

I HAVE the honour to transmit herewith, with reference to my despatch No. 174 of the 5th ultimo, and to my telegram of to-day's date respecting the case of Selim-bin-Seif, copy of a report on the subject which I have received from Mr. Sinclair, who is temporarily in charge of Her Majesty's Vice-Consulate in Pemba.

My statement that Selim had obtained Government employment is incorrect; it was founded on information supplied to me by Sir Lloyd Mathews, but it is now evident that there was a misunderstanding, either on his part or on mine, as to what had actually taken place.

From the evidence that Mr. Sinclair has been able to obtain, in one case from an eye-witness, there appears to be little doubt that Selim was actually born in the Island of Pemba, and this fact, unless it can be disproved, will finally dispose of his claims to French protection.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure 1 in No. 84.

Statement of Abdalla-bin-Salem-bin-Abdalla.

(Translation.)

ABDALLAH-BIN-SALEM-BIN-ABDALLAH-EL-ESMAIL KWIMONE states he knows Msellim-bin-Saif was born here, and his mother was here, his father and mother were married here.

(Signed) ABDALLA-BIN-SALEM-BIN-ABDALLA EL ESMAIL.

Witness:
(Signed) AHMED-BIN-SAIF-BIN-SAÏD.

October 25, 1899.

Inclosure 2 in No. 84.

Vice-Consul Sinclair to Mr. Cave.

(No. 19.)

Sir,

Chaki-Chaki, Pemba, October 25, 1899.

I HAVE the honour to submit the following report with reference to the case of Salim-bin-Saif which, in accordance with your verbal instructions, I have made the subject of special inquiry.

Your information that he is now in Government employ is without foundation, and Captain Taubmann, whom I consulted, and who gave me very great assistance in collecting evidence as to his parentage, was of opinion that it would be unwise to interview Selim (or Msellim, as his correct name seems to be) as he is known to be still antagonistic to the Government, and it might lead him to attach importance to his case.

Inquiries, however, which I made at Weti leave little room for doubt that he was not, as he stated, born at Comoro but here in Pemba. An MPemba, named Hamis-bin-Said, whose evidenee I first obtained, stated that he had known Msellim-bin-Saif all his life, having been brought up in the same village with him; his mother, who died about three years ago, was, he said, a Pemba woman, named Binti Ali, the daughter of Ali-bin-Suliman, of Kinyazini—a place just south of Weti. She married a Muscat Arab named Saif who settled at Pemba, and this witness is willing to swear that Binti Ali never left Pemba, and that Msellim was born there. An old Arab named Abdullah-bin-Salim-bin-Abdulla of Kwimone confirmed the above evidence and added that he remembered the marriage taking place here. I inclose his written statement that Msellim was born in Pemba. This witness, on being asked if he had ever heard that Msellim possessed property elsewhere, said that he had heard that Saif, Msellim's father, had married a woman of Gazija (Comoro) who possessed property there.

The most direct and convincing proof as to Msellim's birthplace is, however, that furnished by Selimah-binti-Juma-bin-Suliman, who was examined by one of the native officers, Captain Simba; this woman is a cousin of Msellim's mother, whose name she says was Bisharah-binti-Ali-bin-Suliman, who was born at Pemba, her mother being a native Pemba girl; Selimah states that she was actually present at the birth of Msellim-bin-Saif, which took place at Chavoni, and that he had one brother, who died in infancy, and a sister whose mother was a Suria named Faida. Another witness, Khamis-bin-Saif, declared that there was a third son named Mahomed-bin-Saif by a wife from Gazija (Comoro).

In view of this evidence, which is amply confirmed by others, there can be little doubt that Msellim-bin-Saif only assumed false nationality, and so obtained French protection in order to more safely carry on his well-known malpractices in slave-trading, to which their flag has unfortunately acquired the undesirable reputation of affording an effective screen in these waters, a reputation which his punishment has, so I am informed, done much among the natives of this island to eradicate.

I have, &c.
(Signed) JOHN H. SINCLAIR.

No. 85.

Mr. Cave to the Marquess of Salisbury.—(Received November 29.)

(No. 191.)

My Lord, *Zanzibar, November* 3, 1899.

IN my despatch No. 182 of the 11th ultimo I had the honour to report that, as the result of negotiations which had taken place between the Sultan's Government and the mercantile community, goods which had paid duty on entry would, on being re-exported within twelve months of their arrival, be entitled to a rebate of 87½ per cent. of the duty paid, that is to say, would have the whole of the duty returned, less a small charge of ⅝ths per cent. on their dutiable value. The Government agreed at the same time not to insist on their Treaty right to have the port of ultimate destination declared at the time of the arrival of the goods at Zanzibar.

The Local Administration are naturally anxious to make this Regulation applicable to all countries with which they have commercial relations, but in the case of the Benadir ports, granted to Italy, they are debarred from doing so by Article 8 of the Concession to Italy of the 12th August, 1892, which stipulates for a refund of the whole of the customs duty paid at Zanzibar. The Italian Consul-General, however, whom I have approached on the matter, does not anticipate that his Government, to whom he has referred it, will find any difficulty in accepting this slight modification of the existing transit arrangements.

There only remains to be considered the applicability of this portion of our new Customs Regulations to the British East Africa Protectorate, and I am in some doubt as to the attitude which your Lordship would wish me to adopt in the matter. It was provided by Article 9 of the Imperial British East Africa Company's Concession of the 24th May, 1897, that goods carried to the Company's ports from any other portion of His Highness' dominions would be entitled to claim a refund of the whole of the duty which they had there paid, but no mention of this provision appears in the Agreement signed on the 14th December, 1895, whereby the Administration of the Sultan's mainland possessions was transferred to Her Majesty's Government. I presume that a statement on your Lordship's part that it was the intention of Her Majesty's Government, in making this Agreement, to carry on the Administration on the same lines, as regards commercial relations with Zanzibar, as the Imperial British East Africa Company had done, would be sufficient to insure a continuance of the drawback system as laid down in the Company's Concession; but I venture to think that you will be inclined to sanction a proposal which, while affecting to the smallest possible extent the position of the mercantile community on the mainland, will enable His Highness' Government to secure a complete uniformity in their Customs Regulations. The proposal, moreover, did not emanate from the Government, but from the merchants themselves, a considerable number of whom have agencies on the coast.

I would further suggest that, if possible, a similar arrangement should be made at Mombasa with respect to goods re-exported to Zanzibar.

I have communicated a copy of this despatch to Mr. Craufurd, and have requested him to submit to your Lordship direct any observations which he may have to make thereon.

I have, &c.
(Signed) BASIL S. CAVE.

No. 86.

Foreign Office to Mr. Cave.

(No. 189.)

Sir, *Foreign Office, November* 29, 1899.

THE Marquess of Salisbury has received your despatch No. 167 of the 15th September last, forwarding a copy of the Notice issued on the 11th of that month, reimposing a duty of 5 per cent. *ad valorem* on imports with certain exceptions stated in the Notice. His Lordship observes that under this Notice the import duty on spirits will be 5 per cent. only, and I am, therefore, to inquire what progress has been made with the proposed new spirit Regulations mentioned in Sir A. Hardinge's despatch No. 116 of the 3rd April last.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 87.

Foreign Office to Sir H. Johnston.

(No. 243.)

Foreign Office, December 1, 1899.

Sir,

I AM directed by the Marquess of Salisbury to acknowledge receipt of your despatch No. 9 of the 13th October relating to the land question in the Uganda Protectorate. His Lordship will await a Report from you on the whole question after you have had time to study it on the spot, and, in the meantime, I am to refer you to the instructions contained in his Lordship's despatches to Colonel Ternan No. 188 of the 29th September and No. 229 of the 20th ultimo, the former of which deals with the question of grants of land to foreigners, whilst the latter lays down the principles adopted by Her Majesty's Government in regard to land within the railway zone.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 88.

Intelligence Division to Foreign Office.—(Received December 4.)

THE Director of Military Intelligence presents his compliments to the Under-Secretary of State for Foreign Affairs, and forwards herewith a copy of a Report by Lieutenant-Colonel J. R. L. Macdonald, R.E., on the question of a Uganda–Soudan boundary, together with a map illustrative of the Report.

18, *Queen Anne's Gate, London,*
December 2, 1899.

Inclosure 1 in No. 88.

Memorandum respecting proposed Boundary between Egyptian Soudan and Uganda Protectorate.

THE question of the boundary between the Egyptian Soudan and the Uganda Protectorate may be considered from three points:—

(1.) *Politically.*—As both are under British management, this is of minor importance; it would, however, appear that the southern boundary of Abyssinia should be under Uganda or East Africa, as the greater portion of this boundary is already conterminous with the latter Protectorate, where not with Italy.

(2.) *Ethnologically.*—It is desirable that tribes, with their allies or dependencies, to a minor extent, should not be split up between two dissimilar Administrations.

(3.) *Commercially.*—It is desirable that areas, the trade of which will, in virtue of the law that commerce takes the cheapest route, find an outlet, either by Alexandria or Mombasa, should be under Egyptian or Uganda Administrators respectively.

The two latter considerations will be dealt with in more detail.

2. *Ethnological Considerations.*—The Uganda Protectorate has already a more or less effective administrative authority over various tribes grouping themselves round four main divisions—Masai, Nandi, Negro (Wanyifa), and Bantu.

With the Masai are allied in language and customs the Karamojo and other Lango tribes and the Latuka.

With the Nandi come the Lako, Save, and Suk.

With the Negro Wanyifa, the Shuli and Lur, with both of which Uganda has had connection since 1894.

The Bantu tribes, with, perhaps, the exception of the Masawa to the west of Mount Elgon, are already in the Uganda Administration.

The Elgumi and Wakedi, both of the Lango group, have already been associated with the Uganda Administration to some extent; the remaining tribes of this group are the Karamojo, Turkana, and Donjiro (practically all three identical in blood), and the smaller sections of Kimama, Umiro, Rom, and Langu, with the Dodinga and Dabossa.

So far all the tribes mentioned are either by blood or language connected with others already under the Uganda Protectorate, but in drawing the ethnological boundary (/////////////) the Madi have been included in the Uganda Protectorate. Unlike the Lur, Shuli, and Nyifa, the Madi show no connection with the Shilluks of the north, nor are they connected with the Dinka, as would appear to be the case with the Bari and Berri. Instead, their nearest relations, and those doubtful, would seem to be some way off in the Bahr-el-Ghazal. The Madi thus form an isolated tribe, to all intents, which might be placed in either sphere; but as they occupy both banks of the Nile near Dufile, and have already learned something of the British since 1894–95, they are included in the Uganda Protectorate.

Latuka is undoubtedly ethnologically connected with the Masai, whose nearest connection in the Egyptian Soudan would appear to be the Nubas, north of Khartoum, and hence Latuka is shown by the ethnological boundary to fall to Uganda. But this is not altogether satisfactory, as the King of Latuka has extended his sway to include districts such as Obbo, Liria, Lukoya, &c., which are inhabited by Negro tribes instead of Nuba-Fullas. In fact, his political and administrative authority extends nearly to Beden, and thus a purely ethnological boundary would cut his kingdom in two.

3. *Commercial Considerations.*—A commercial boundary, as shown on the accompanying map, may be defined as the line along which it would be equally cheap to send goods to Alexandria or Mombasa with the transport facilities specified. Obviously, such a boundary will depend on the nature and efficiency of the means of transport available. The question of sea-freight charges from Alexandria or Mombasa are neglected; if this be taken into account, the boundaries shown would in all cases be moved further south, but as much of the produce from the Uganda Protectorate would not find its way to Europe, the sea freight may be left out of consideration.

In the four cases considered (see map) the railway from Alexandria to Khartoum and Mombasa to the Victoria Lake are considered open.

The former, though more than double the length of the latter (1,450 to 600 miles), is, thanks to its easy gradients, compensated curves, and climatic conditions which allow of a larger factor for adhesion, far the more efficient; indeed, this works out as ten to four. Thus, if the Uganda Railway can carry goods at a rate of a 1*d.* per ton per mile, the Khartoum Railway could carry at a rate of 0·4*d.* per ton per mile. I have assumed these rates, but it must be noted for the Uganda Railway to carry goods at 1*d.* per ton per mile would mean about ten times the initial traffic estimated for in the preliminary railway survey of 1891–92. If from any cause the Uganda Railway has to charge more per ton, the commercial boundary would be moved south, and the area tapped by the Uganda Railway would be decreased, as has already been done by the steeper gradients adopted on this railway.

The following additional rates are taken for other classes of transport:—

Railways Jinja to Kakoge (to reach navigation of Choga and Nile, extending from near Kakoge to Fawera, suitable for stern-wheelers), and Fawera to Fajao (to reach navigation of Lake Albert, extending to Dufile); as the traffic would be much smaller, the rate is taken 1·5*d.* per ton per mile.

Steam navigation on Lake Victoria, rate 2*s.* 6*d.* per ton per 100 miles. Steam navigation on Lakes Choga, Albert, and on Nile and Sobat Rivers, rate 2*s.* 9*d.* per ton per 100 miles. Cost of transhipments, 1*s.* 6*d.* per ton.

Cost of pack transport, in countries such as Masailand and Karanojo where pack animals are produced and thrive, rate 1 ton carried 16 miles for 1*l.*

Cost of porter transport, in countries not suitable for pack animals, rate 1 ton carried 8 miles for 1*l.*

Rate on ultimate railway from Khartoum to Naivasha 7*d.* per ton per mile.

4.—(1.) Commercial boundary with railways from Alexandria to Khartoum, and Mombasa to Lake Victoria. Steamers from Khartoum to limit of navigation on Sobat, and on Lakes Victoria, Choga, and Albert.

White Nile blocked by sudd . . . . . .

(2.) A slight variation of this is shown if we consider that steamers are also used on Lake Rudolf.——— · ——— · ———

In both these cases the commercial boundary would cross the Nile a little south of Lado. The use of a steamer from Beden to Bor hardly appreciably affects this.

(3.) If, however, we consider the sudd negotiated, a not unlikely event before the Uganda Railway is completed or in the near future, the commercial boundary would be thrown much farther south in the neighbourhood of the Nile and Lake Albert, and part of the trade of Unyoro would find its way north, as well as that to the west of Lake Albert.

This boundary is shown on the map as—— *o* —— *o* ——

If, however, the 50 to 60 miles of railway necessary to connect the navigation of Lake Victoria with that of Lake Choga (a line which would not be expensive) were constructed, this boundary in its western portion be moved northwards to a little north of Dufile, and then cut through the Madi country, at about 3° 45″ north latitude. This not shown on the map.

(4.) If we look still farther ahead and assume a railway connection along the west of Abyssinia between Alexandria and Mombasa, and short lines from Jinja to Kakoge, and from Fawera to Fajao, in Uganda and Unyoro respectively, together with steam navigation from Khartoum to Beden, and from Khartoum to the limit of navigation on the Sobat, and on Lakes Victoria, Albert, and Choga, we get the commercial boundary shown by + + + +

(5.) Taking all the points into consideration, a suitable boundary between the Egyptian Soudan and the Uganda Protectorate would appear to be as shown. XXXXX

On the west as far north as 3° 30″ north latitude it follows the Anglo-Congo boundary; then continues north to the 4° north latitude, and crosses the Nile near the 4° north latitude, so as to include the Madi in the Uganda Protectorate and exclude the Bari. It would then run eastward along the Madi border and thence to between the Agoro and Terbenia Mountains, and then, as shown, leaving Latuka to Egypt, and including the Langu, Dodinga, Dabossa, and Donjiro in the Uganda Protectorate.

Such a boundary is ethnologically suitable, and retains under Uganda all the tribes already connected with it, except Latuka. Instead of breaking up the Latuka Kingdom, which has in its past been intimately connected with the former Egyptian dominion, it is handed over bodily to the Egyptian Soudan. This would cause no difficulty, as the nearest relations of the Latuka are the far distant Masai.

Commercially the boundary is suitable, and is not liable to be found inconvenient in the future as means of communication are improved.

While the proposed boundary has two additional advantages. The healthy mountainous regions of south and west Latuka are left to the Egyptian Soudan, and afford a healthy region, rich in food, and within touch of Lado and the Nile, which would facilitate the Egyptian administration of the country immediately to the north.

In the same way the mountains north of Lake Rudolf, rich in food and produce—an essential to the trade of the Uganda Protectorate, in the Rudolf region.

The boundary is shown approximately on the attached small scale map, but these notes will allow of its being laid down with sufficient accuracy on the larger maps now being prepared in the Intelligence Division.

(Signed) J. R. L. MACDONALD,
Lieutenant-Colonel.

November 1899.

Explanation.

+ + + + + + + + + + + + +

= Commercial boundary, with Nile navigable from Khartoum to Beden, steam navigation on Sobat River and Lakes Albert, Choga, and Victoria.

Railways, Khartoum to Lake Naivasha by west of Abyssinia and Lake Rudolf, from Mombasa to Lake Victoria, and between Jinja and Kakoga and Fawera and Fajao.

—— *o* —— *o* —— *o* —— *o* —— *o* ——

= Commercial boundary, with Nile navigation from Khartoum to Beden, steam navigation on Sobat River, and on Lakes Albert, Choga, Victoria, and Rudolf, and railway from Mombasa to Lake Victoria.

——— · ——— · ——— · ——— · ———

= Commercial boundary, with railway from Mombasa to Lake Victoria, and steam navigation on the River Sobat and Lakes Albert, Choga, Victoria, and Rudolf.

. . . .

= Commercial boundary, with railway from Mombasa to Victoria Lake, and steam navigation on River Sobat and Lakes Albert, Choga, and Victoria.

//////////////////////////

= Ethnological boundary.

XXXXXXXXXXXXXXXX

= Proposed boundary.

(Signed) J. R. L. MACDONALD,
Lieutenant-Colonel.

November 1899.

Inclosure 2 in No. 88.

Map of Uganda Protectorate and the Territories to the North Explored by the Macdonald Expedition, 1897–98.

[Not printed.]

No. 89.

The Marquess of Salisbury to Sir E. Monson.

(No. 169. Africa.)

Sir, *Foreign Office, December* 4, 1899.

IN my despatch No. 112, Africa, of the 16th August last, I forwarded to your Excellency a copy of my note of the same date to the French Ambassador at this Court relating to the Greffülhe Pier at Zanzibar. I have since received a Memorandum from his Excellency, stating that as the Portuguese Consul-General at Zanzibar, one of the persons suggested as Arbitrator, is on leave, the alternative lies in the selection of one of the German Judges at Dar-es-Salaam, and that the French Government suggest Herr Ebermayer, who is one of that body.

Her Majesty's Government are ready to accept Herr Ebermayer, and to give their Representative at Zanzibar the necessary instructions. Arbitration will, however, probably cost more than the matter at issue is worth, so far as money value is concerned, and possibly it might suit the French Government to settle the question by a compromise.

Your Excellency should not put forward in writing any such a suggestion, as it might prejudice the case if it ultimately went to arbitration; but you might sound M. Delcassé on the subject, and in the event of his evincing a disposition to come to such a settlement, you should say that if the French Government will name a moderate sum as compensation for the materials of the pier and for all claims against the Zanzibar Government arising out of the Greffülhe case, Her Majesty's Government will be ready to consider such a final settlement, such offer and the consideration of it not to be held as in any way prejudicing the merits of the case to be submitted to the Arbitrator.

I am, &c.
(Signed) SALISBURY.

No. 90.

Viscount Cromer to the Marquess of Salisbury.—(*Received December* 6.)

(No. 7. Africa. Confidential.)

My Lord, *Cairo, November* 24, 1899.

I HAVE the honour to reply to your Lordship's despatch No. 80 of the 11th instant, in which I am requested to state whether the Egyptian Government would wish to take part in the Conference about to be assembled in London to discuss the best methods of preventing the indiscriminate slaughter of wild animals in Africa.

In so far as Egypt, properly so-called, is concerned, the Egyptian Government have little or no interest in this matter. The Minister for Foreign Affairs informs me that the Government of the Khedive, in this connection, has no wish to be represented.

On the other hand, the Soudan should certainly be represented. The best method for attaining this object raises a question of some little difficulty.

The representation of the Soudan, independently of Egypt, can scarcely be secured without incurring a risk that some questions, which it would be as well to avoid, may be raised as to the political status of the country. Moreover, the Soudan can obviously not be considered an independent State. Its dependence on Egypt and, to a certain extent, on England is recognized in the Agreement of the 19th January last. Although this Agreement received the tacit acquiescence of Europe, it will be remembered that it was never communicated to the Powers, neither would it appear at all desirable to create an opportunity for them to discuss it.

On the other hand, there are some strong objections to the Soudan being represented by a Delegate of the Egyptian Government. This Delegate, your Lordship points out in the despatch under reply, would, as at Venice in 1892, only have a consultative voice, and would form part of the Turkish representation, should the Ottoman Government agree to take part in the Conference. It would perhaps be somewhat difficult to define with any great precision the position which the Sultan now holds towards the Soudan. On this subject I venture to remind your Lordship of your conversation with Anthopoulo Pasha, recorded in the despatch No. 48 of the 22nd February last to Sir Nicolas O'Conor. It may safely be asserted that, whatever theoretical view of the Sultan's rights be adopted, it would be highly undesirable to take any action which would afford encouragement to their practical exercise. Your Lordship will remember that the main object of the Agreement of the 19th January last was to create a political status for the Soudan different to that of Egypt. I am daily receiving proofs that great care will have to be exercised in defending this position in detail. Otherwise, whilst apparently maintaining the principle intact, we may find that in practice steps are being taken tending more or less to assimilate the Egyptian and Soudanese positions.

I venture to suggest, as a solution of this difficulty, that neither the Egyptian nor the Soudanese Government should be officially represented at the Conference, but that some gentleman who has a practical acquaintance with the facts, in so far as they affect the Soudan, should be named as one of the British Delegates. Thus no diplomatic question in respect to right of representation could arise.

Lord Kitchener, with whom I have been in communication, suggests the nomination of Mr. Sydney Buxton, with whom he discussed the Game Ordinance when he was in London.

I have, &c.

(Signed) CROMER.

No. 91.

Lord Currie to the Marquess of Salisbury.—(*Received December* 7.)

(No. 10. Africa.)

My Lord, *Rome, December* 5, 1899.

M. VISCONTI-VENOSTA has asked me to call your Lordship's attention to a request made some time since by the Italian Government for the use of a strip of land between Cape Bissel at the northern end of the Bay of Kismayu and the River Juba, in order to enable communication to be maintained during the monsoon season with the Benadir coast.

The matter was discussed between Sir A. Hardinge and the Italian Representative in Zanzibar, but was dropped without any decision being come to.

M. Visconti-Venosta is anxious that it should be taken up again, and he expressed the earnest hope that a favourable answer will be given, as the matter is one of great importance to Italian interests on the Benadir coast.

A Memorandum and map showing the exact strip of ground desired have been given to me by his Excellency, and are annexed to this despatch.

I have, &c.
(Signed) CURRIE.

Inclosure 1 in No. 91.

Memorandum.

LA pièce ci-jointe indique la bande du terrain dont nous désirerions obtenir, à titre d'usage, la Concession gratuite pour tout le temps où l'Italie restera au Benadir.

Notre but est d'avoir une escale, accessible même pendant la mousson sud-est, et d'où il nous serait possible de communiquer en toute saison avec le Benadir. Une négociation à ce sujet a déjà eu lieu à Zanzibar entre le Représentant d'Angleterre, Mr. Hardinge, et le Représentant d'Italie, M. Pestatozza.

La bande de terrain dont il est question ci-dessus, prenant son point de départ au Cap Bissel, à l'extrémité nord de la Baie de Kismayu, suivrait la côte jusqu'au Giuba en face de Giumbo; sa longueur serait d'environ 9 milles maritimes. Elle comprendrait le sentier qui longe, de plus ou moins près, le littoral, et se trouverait délimitée à l'est par la mer, et à l'ouest par une ligne parallèle au sentier dont cette ligne ne serait éloignée que d'environ 500 mètres.

Inclosure 2 in No. 91.

Map.

[Not printed.]

No. 92.

War Office to Foreign Office.—(Received December 7.)

Sir, *War Office, December* 5, 1899.

I AM directed by the Secretary of State for War to acknowledge the receipt of Foreign Office Memorandum, dated 23rd ultimo, addressed to the Director of Military Intelligence, respecting the reduction of pay of the privates in the Soudanese Companies of the Uganda Rifles.

In reply I am to inform you that from Colonel Ternan's despatch of the 30th November, 1897, it appears that the existing rate was chiefly determined by that considered necessary for the Swahilis, and by the obvious desirability of paying the Soudanese at the same rate.

The enlistment of Swahilis has, however, since been discontinued, while all enm enlisted previous to the introduction of the lower rate, whether Swahilis or Soudanese, are to receive the same pay as heretofore.

In these circumstances, therefore, and assuming that the local authorities are fully satisfied that the reduced rate will prove sufficiently high to attract the requisite number of trustworthy and capable men, there appears to be no military objection te the reduction from 20 rupees to 18 rupees per mensem in the case of the Soudaneso joining after the 1st instant.

I am, &c.
(Signed) R. H. KNOX.

No. 93.

Sir F. Plunkett to the Marquess of Salisbury.—(Received December 8.)

(No. 171. Africa.)

My Lord, *Brussels, December* 7, 1899.

ON receipt of your Lordship's despatch, unnumbered, of the 11th ultimo, I addressed a note to Baron von Eetvelde in the terms of that despatch, inviting the Government of the Independent State of the Congo to take part in the Conference which the Governments of Great Britain and Germany propose to hold in London early in January to study the best means for the preservation of wild animals, birds, and fishes on the African Continent.

I have the honour to inclose copy of the note which I have received in reply from M. de Cuvelier.

M. de Cuvelier lays stress on the measures for the protection of elephants already taken in the Congo, and states that the Congolese Government approves the idea of this Conference and will willingly take part in it; but he raises some serious difficulties as to the possibility of realizing common action unless all the Powers who were parties to the Acts of Berlin give their consent.

He also points out that the proposal to put a heavier export duty on elephants' tusks below a certain size would entail a modification in the understanding which now exists between the Congo State, France, and Portugal.

I have, &c.

(Signed) F. R. PLUNKETT.

Inclosure in No. 93.

M. de Cuvelier to Sir F. Plunkett.

M. le Ministre, *Bruxelles, le* 5 *Décembre*, 1899.

J'AI eu honneur de recevoir la lettre que votre Excellence a bien voulu m'adresser pour me faire savoir que le Gouvernement Britannique et le Gouvernement Allemand ont porté leur attention sur les mesures qui seraient les meilleures à adopter pour la conservation des animaux sauvages, oiseaux, et poissons, dans le Continent Africain, et qu'ils proposent que les Représentants des diverses Puissances qui, en raison de leurs possessions en Afrique, sont intéressées à cette question, se réunissent en Conférence à Londres, en Janvier prochain, dans le but d'établir un accord à ce sujet sur les bases indiquées dans la lettre de votre Excellence.

Le Gouvernement de l'État du Congo est également d'avis que des mesures de protection pour les espèces animales s'imposent; il se rallie entièrement au projet de la réunion d'une Conférence et il est tout disposé à s'y faire représenter.

L'État du Congo a d'ailleurs pris des dispositions dans l'ordre des idées traitées par la lettre de votre Excellence, en vue notamment d'assurer la conservation de la race de l'éléphant: la chasse à l'éléphant dans l'État Indépendant est subordonnée à une autorisation spéciale, et soumise au paiement de taxes, et peut être interdite dans telles régions et à telles époques qu'il est nécessaire dans l'intérêt de la reproduction.

L'adhésion de l'État du Congo à un système général de protection du genre animal ne saurait être douteuse.

Tout en se ralliant en principe, il est toutefois amené, en raison de ses obligations internationales, à faire des réserves quant à l'applicabilité aux territoires du Bassin Conventionnel du Congo de certaines des suggestions indiquées dans la lettre de votre Excellence comme pouvant servir de bases à l'accord à intervenir. C'est ainsi notamment que la prohibition du commerce en gros des peaux, cuirs, et défenses d'animaux sauvages, de peaux et de plumes d'oiseaux, ne semble pas être conforme aux principes de l'Acte Général de Berlin, de même que la prohibition d'exporter des défenses d'éléphants d'un poids inférieur à 10 livres.

D'autre part, la proposition de frapper d'un droit de sortie plus élevé les défenses d'ivoire entre 10 et 30 livres que celles d'un poids au-dessus de 30 livres, nécessiterait la modification—que nous ne pouvons préjuger—de l'accord existant entre la France, le Portugal, et l'État du Congo, réglant le tarif des droits de sortie dans la zone occidentale du Bassin Conventionnel du Congo.

Je saisis, &c.
(Signé) AD. DE CUVELIER.

No. 94.

Viscount Gough to the Marquess of Salisbury.—(Received December 11.)

(No. 125. Africa.)
My Lord,
Berlin, December 5, 1899.

I HAVE the honour to transmit to your Lordship herewith copy and translation of a note which I have received from Baron von Richthofen, in answer to the note which I addressed to the German Government on the 13th ultimo, as reported to your Lordship in my despatch No. 105, Africa, of that date.

Baron von Richthofen states therein that the question of German encroachments in the district of Kibumbiro has been referred to the Governor of German East Africa for a report, and adds that the German Government entirely concur in the proposed delimitation of the boundary, but suggest that the position of the 1st degree of south latitude should be ascertained, and then marked out on the spot, since the exact position of Kakuto has not been defined by trustworthy latitudinal calculation.

I have, &c.
(Signed) GOUGH.

Inclosure in No. 94.

Baron von Richthofen to Viscount Gough.

(Translation.)
Foreign Office, Berlin, December 2, 1899.

THE Undersigned has the honour to inform Viscount Gough, Her Britannic Majesty's Chargé d'Affaires, in reply to the note addressed to Count von Bülow, Secretary of State, on the 13th ultimo, that the contents of the note, as well as of that of his Excellency Sir Frank Lascelles of the 13th October last, were brought to the notice of the Imperial Governor of German East Africa, and that the Imperial Government will have the honour to make further communications on the subject upon receipt of the report which has been called for.

With regard to the proposal for a provisional marking out of the boundary in the region to the west of the Victoria Nyanza, the Imperial Government entirely concur in such a project, but incline to the view, after hearing the opinion of their geographical expert, that it will not be advisable to take Kakuto as the starting-point for the delimitation, since its geographical position has not yet been determined by trustworthy latitudinal calculation, but that it would be preferable that the position of the 1st degree of south latitude, which forms the boundary, should be ascertained by simple latitudinal measurements to be undertaken by a Mixed Commission, and should be marked out, on the spot, on the principal roads running from north to south.

The Undersigned avails, &c.

(Signed) RICHTHOFEN.

No. 95.

Viscount Gough to the Marquess of Salisbury.—(Received December 11.)

(No. 127. Africa.)
My Lord,
Berlin, December 5, 1899.

WITH reference to my despatch No. 112 of the 18th ultimo I have the honour to report that the sum of 150,000 marks is included in the German Colonial Estimates for 1900, and is stated to be "for the complete and final satisfaction of the Brothers Clement and Gustave Denhardt for Germany's share in the international advantages derived from their activity in the Sultanate of Witu, and on the understanding that they abandon all claims to compensation from the Empire."

I have, &c.

(Signed) GOUGH.

No. 96.

Mr. Adam to the Marquess of Salisbury.—(Received December 11.)

(No. 5. Africa.)

Madrid, December 7, 1899.

My Lord,

IN compliance with the instructions contained in your Lordship's despatch (unnumbered) of the 11th ultimo, I have duly transmitted to the Spanish Government the invitation to take part in the proposed Confernce to be held in London in January next, with a view to the adoption of the best measures for the preservation of the wild animals, birds, and fishes in the African Continent.

I have now the honour to transmit to your Lordship herewith copy and translation of a note which I have received from the Spanish Government, accepting with pleasure the invitation conveyed in your Lordship's despatch above referred to.

I have, &c.

(Signed) C. F. FREDERICK ADAM.

Inclosure in No. 96.

Señor de Lome to Mr. Adam.

(Translation.)

Ministry of State, December 3, 1899.

Sir,

IN reply to your note of the 2nd instant I have the honour to inform you that His Majesty's Government will have great pleasure in being represented at the Conference which, on the initiative of the Governments of Great Britain and Germany, is to be held in London during the first week of January next, with the object of arriving at an understanding in regard to the preservation in the African Continent of wild animals, birds, and fish.

While asklng you to convey to your Government the thanks of His Majesty's Government for so kind an invitation, I avail, &c.

(For the Minister),

(Signed) E. DUPUY DE LOME.

No. 97.

The Marquess of Salisbury to Sir F. Lascelles.

(No. 171. Africa.)

Foreign Office, December 13, 1899.

Sir,

I TRANSMIT to your Excellency herewith a copy of a despatch from Her Majesty's Minister at Brussels, inclosing the reply of the Congo State Government to the invitation contained in my Circular of the 11th November, to take part in a Conference for the protection of game in Africa.*

It is not improbable that the appeal made by M. de Cuvelier to the provisions of the Act of Berlin, and the Agreement of the 8th April, 1892, between the Free State, France, and Portugal relating to the Tariff of the western basin of the Congo is caused by the profitable trade in ivory now going on between the Free State and Belgium. In any case, it would appear to be a matter which the three Powers will be competent to arrange if they meet in conference, and I should be disposed to instruct Sir F. Plunkett in that sense; but before doing so I should be glad to learn from your Excellency whether the German Government agree in that view, and further, whether they anticipate any difficulties of the nature anticipated by M. de Cuvelier from the Powers who were parties to the Berlin Act, but have not been invited to take part in the Conference.

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* No. 93.

A copy of my reply to Sir F. Plunkett is inclosed for your Excellency's information.*

I am, &c.
(Signed) SALISBURY.

No. 98.

The Marquess of Salisbury to Sir F. Lascelles.

(No. 173. Africa. Confidential.)
Sir,
Foreign Office, December 13, 1899.

WITH reference to my despatch No. 160, Africa, of the 11th ultimo, I transmit, for your Excellency's information, copies of correspondence with Lord Cromer as marked in the margin,† relative to the question of the participation of Egypt in the Conference for the preservation of game in Africa.

I am, &c.
(Signed) SALISBURY.

No. 99.

The Marquess of Salisbury to Sir F. Plunkett.

(No. 136. Africa.)
Sir,
Foreign Office, December 13, 1899.

I HAVE received your despatch No. 171, Africa, of the 7th instant, containing the acceptance by the Congo State Government of the invitation to take part in a Conference for the protection of game in Africa, and I transmit, for your information, a copy of a despatch which I have addressed to Her Majesty's Ambassador at Berlin on the subject.‡ I will communicate further with you when I receive his Excellency's reply.

Meanwhile, I should be glad if you would send home a copy of the Congo State Laws relating to the killing of elephants.

I am, &c.
(Signed) SALISBURY.

No. 100.

M. Cambon to the Marquess of Salisbury.—(Received December 14.)

Ambassade de France, Londres,
le 12 *Décembre*, 1899.

M. le Marquis,

JE n'avais pas manqué de communiquer à mon Gouvernement les considérations contenues dans les dernières communications de votre Seigneurie au sujet de l'affaire du Chérif Selim-ben-Abdurrahman-ben-Cheikh Batta à Zanzibar et qui, à la suite de diverses évolutions, a pris la forme d'une question d'attribution de propriété immobilière. Après avoir de nouveau examiné la question, mon Gouvernement estime que, dans ces conditions, la solution ne peut faire de doute.

Notre Traité avec Mascate, dans son Article III, autorise, en effet, les Français à acheter, posséder, et vendre des immeubles, l'Article IV étend les mêmes droits aux indigènes au service des Français, et l'Article VI dit que dans les différends entre Français et indigènes quand le Français sera défendeur la cause sera portée devant le Tribunal Consulaire.

Il n'est pas fait de distinction entre les affaires mobilières ou immobilières, et de plus, l'Article II décide que les sujets des deux pays auront réciproquement droit à tous les privilèges et avantages qui sont ou pourront être accordés aux sujets des nations les plus favorisées.

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* No. 99. † Nos. 52 and 90. ‡ No. 97.

Or, le Traité passé entre l'Allemagne et Zanzibar en 1885 et 1886 décide que tous les procès concernant les immeubles seront jugés par le Consulat.

De renseignements recueillis auprès du Consul Allemand à Zanzibar, il ressort que cette procédure n'a cessé d'être en vigueur.

Dans ces conditions je ne doute pas qu'après un nouvel examen de la question le Gouvernement de Sa Majesté ne reconnaisse le bien fondé de la thèse soutenue par mon Gouvernement.

Veuillez, &c.
(Signé) PAUL CAMBON.

No. 101.

The Law Officers of the Crown to the Marquess of Salisbury.—(Received December 14.)

My Lord, *Royal Courts of Justice, December* 13, 1899.

IN obedience to your Lordship's commands we have taken the papers submitted to us into our consideration, and have the honour to

Report—

1 and 2. That we are of opinion that in such regions the right of dealing with the waste and unoccupied land accrues to Her Majesty by virtue of her right to the Protectorate. These Protectorates over territories occupied by savage tribes have little in common with Protectorates over States such as Zanzibar, which enjoy some form of settled government, and in which the land has been appropriated either to the Sovereign or to individuals. Protectorates such as those now under consideration really involve the assumption of control over all lands unappropriated. Her Majesty might, if she pleased, declare them to be Crown lands, or make grants of them to individuals in fee or for any term.

The question of the system to be pursued is really one of policy. Probably a continuance of the plan of granting certificates may work very well, and there may be good reasons for not giving more than a tenure for a term of years.

We would point out that the issue of such certificates involves the assumption of entire control over the land in question just as much as a conveyance.

3. It seems to us doubtful whether the Indian Land Acquisition Act and "The East Africa (Acquisition of Lands) Order in Council, 1898," were intended to apply to unappropriated lands. They seem in their terms applicable only to land which has an owner to whom compensation can be paid. We agree that Her Majesty can under this Act and Order in Council, in all cases to which they apply, grant a title amounting to a freehold. Of course, if they have been applied to unappropriated lands ,it amounts to an assumption of title in them by Her Majesty.

4.—(*a.*) As regards the Land Regulations with annexed certificate (U), we have only to point out that the form seems hardly applicable where land is granted merely for timber cutting or mining purposes. Clause (2) imposes in all cases the obligation of either cultivating the land or placing stock upon it. We would suggest that there should be alternative forms for use in the various cases contemplated.

As regards Uganda, a fresh Order in Council would be required to enable the making of such Regulations and also the other Regulations proposed regulating the use of unoccupied land.

As regards the notification as to Mombasa Railway land (J), it was apparently not within the terms of the Order in Council, but it was issued by the order of the Secretary of State for Foreign Affairs; it was therefore the act of the Crown, and cannot be questioned.

As regards (K), even if *ultra vires* at the time it was made, it has been rendered good by the application to natives of the Order in Council, 1897, by the Order in Council, 1899, validating past dealings.

(*b.*) As regards the proposed Unoccupied Land Regulations (T), whatever form of words is employed they must amount to an assumption of a disposing power over unoccupied land. The adoption of the expression "public" lands instead of "Crown" lands hardly veils the effect of the Regulations. Lands which are "public" must, under the circumstances of such Protectorate, be Crown lands or under the control of the Crown. There is, in our opinion, no objection to the expression "public lands."

(*c.*) The form of conveyance seems suitable for any land vested in Her Majesty which the Commissioner is authorized by Her Majesty to convey. It is not applicable to land nominally vested in the Sultan nor to unappropriated land which has not been adopted as Crown lands.

We have, &c.
(Signed) RICHARD E. WEBSTER.
ROBERT B. FINLAY.

No. 102.

The Marquess of Salisbury to M. Cambon.

Your Excellency, *Foreign Office, December* 14, 1899.

I HAVE the honour to inform you that I have been in communication with the Acting British Agent and Consul-General at Zanzibar on the subject of your Excellency's note of the 27th July last, respecting the nationality of Selim-bin-Seif.

Mr. Cave has made careful inquiries in Pemba, and has ascertained that Selim was not only brought up in that island, but was born there, his mother having been a Pemba woman and his father an Arab who had settled in the place.

In these circumstances Her Majesty's Government are unable to admit that Selim is entitled to French protection in the dominions of the Sultan of Zanzibar.

I have, &c.
(Signed) SALISBURY.

No. 103.

Foreign Office to Acting Commissioner Craufurd.

(No. 203.)
Sir, *Foreign Office, December* 14, 1899.

THE Marquess of Salisbury has given his careful consideration, in consultation with Mr. A. Gray and Mr. Davidson, to the suggestions contained in your despatch No. 134 of the 21st September with respect to the settlement of disputes among natives of savage tribes under the East Africa Native Courts Regulations, I am to state that, as at present advised, his Lordship is of opinion that no sufficient case for an amendment of the Regulations has been made out.

In the Memorandum forwarded in your despatch, Mr. Cator states (*a*), that no records are kept of such cases as may be settled by the Protectorate officers; and (*b*), that matters are dealt with by the local Magistrates irrespective of the limits to their jurisdiction imposed by the Native Courts Regulations.

With regard to (*a*), I am to point out that the 34th Regulation merely provides that the officers are to keep regular written records of all case tried before them and furnish half-yearly Statements to the Provincial Court; and Mr. Cator himself, in his recommendations, proposes that a Memorandum of each case should be made out, and that it be entered in the half-yearly Statement. It therefore does not appear that any difficulty is shown in keeping such records of these cases as would constitute a compliance with the Regulations.

With regard to (*b*), the jurisdiction of the lowest Court, *i.e.*, the Court of an Assistant Collector is by Regulation 30 that of a 3rd class Magistrate in criminal matters, and up to 500 rupees in civil cases, and this jurisdiction can be exercised by the Assistant Collector at any place within his district (see Regulation 31). It is not clear whether Mr. Cator suggests that in regard to savage tribes the limits of jurisdiction ought to be raised, and whether in civil matters only, or both in civil and in criminal matters.

Mr. Cator raises a further point that local officers should be relieved from the obligation to observe the rules (at any rate in civil cases) laid down by the Procedure Code, with regard to the taking of evidence. I am to point out that, under the 3rd Regulation, the Native Courts are only required to be guided by the Codes "as far as practicable." These words were introduced with a full knowledge that in the present condition of many of the native tribes anything like a strict observance of the Code Procedure would not be practicable.

You should furnish Mr. Cator with a copy of this despatch.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 104.

The Marquess of Salisbury to Lord Currie.

(No. 13. Africa.)
My Lord,
Foreign Office, December 16, 1899.

I HAVE received your Excellency's despatch No. 9, Africa, of the 16th ultimo, containing the reply of the Italian Government to the remarks which you were instructed to make as to the possible effect of their pressing the stipulation that the dues to be levied for lighting the coasts of Zanzibar should be devoted exclusively to that object.

Her Majesty's Government recognize the force of the remarks made by the Italian Minister for Foreign Affairs on this point, and they have no desire to press the observation in my despatch No. 9 of the 18th October, as the object of the dues is to obtain funds for lighting the coasts, and not to raise revenues for general purposes.

Your Excellency should take an opportunity of explaining this to the Minister for Foreign Affairs, but at the same time you should point out that the system of lighting will extend to the Island of Pemba, and will not be confined to Zanzibar, as would appear from the third condition laid down in his Excellency's note of the 21st September, which formed an inclosure in your Excellency's despatch No. 8, Africa, of the 25th September.

I am, &c.
(Signed) SALISBURY.

No. 105.

Mr. Cave to the Marquess of Salisbury.—(Received December 18.)

(No. 192.)
My Lord,
Zanzibar, November 8, 1899.

I HAVE the honour to transmit herewith translation of a letter which I have received from the Governor of German East Africa, in reply to my protest on the subject of Seyyid Khaled's intervention in the action brought by His Highness the Sultan, against Suleiman-bin-Nasr, a copy of which was inclosed in my despatch to your Lordship No. 173 of the 5th ultimo.

General Liebert maintains that Seyyid Khaled has not violated his obligations as a political refugee or the undertaking that was given on his behalf by the German Government, and refuses to interfere in the matter.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure in No. 105.

Major-General Liebert to Mr. Cave.

(Translation.)
Dar-es-Salaam, October 31, 1899.

I HAVE the honour to acknowledge the receipt of your letter of the 4th instant, and the formal protest therein contained against Seyyid Khaled's intervention in the action brought here by His Highness the Sultan of Zanzibar against Suleiman-bin-Nasr.

I regret that I must repeat, in agreement with the letter of my Representative of the 24th ultimo, that I am not in a position to interfere in any way with the course of the legal proceedings, and must therefore again suggest that His Highness' Representatives should submit directly to the competent Tribunal any objection which they may have to make to Seyyid Khaled's claims, especially with regard to the payment of an acquittance of 60,000 dollars.

I regret, also, that I must decline to in any way officially influence Seyyid Khaled to withdraw from the intervention which he has commenced. I cannot admit that Seyyid Khaled has by his present action in any way violated the obligations which are imposed upon him, in accordance with international usage and convention, by his position as a political refugee in asylum with a friendly State.

Seyyid Khaled, by the intervention which, from his point of view, has to a certain extent been forced upon him by the action of His Highness the Sultan against Suleiman-bin-Nasr, seeks only a judicial examination and decision with respect to his private rights in his father's estate, especially that part of the estate which is situated in German territory.

This is a desire the fulfilment of which, according to the laws by which German Courts are governed, absolutely cannot be denied him by the authorities to whom he has appealed, even if Seyyid Khaled is, as you conceive, outlawed as a rebel, who has forfeited all legal claim to property and possession, he can yet, by German law, claim judicial protection and a hearing in the same manner as any other inhabitant of our Colony.

Seyyid Khaled, in bringing his suit for intervention, has evidently no idea of interfering in the political affairs of the Zanzibar Sultanate.

Nor is it to be apprehended that the further course of the action will present any likelihood of encouraging Seyyid Khaled to make a demonstration in a political sense, for it is self-evident that Seyyid Khaled's claim—both as concerns the formal admissibility of his intervention, and the material rectitude of his action—will only be examined by the competent Court according to the laws which are commonly applicable to legitimate claims of this description, and any digression with respect to the political affairs of the Sultanate avoided.

Availing &c.
(Signed) LIEBERT,
Major-General and Governor.

No. 106.

Mr. Cave to the Marquess of Salisbury.—(Received December 18.)

(No. 193.)
My Lord,
Zanzibar, November 8, 1899.

IN accordance with the instructions contained in your Lordship's despatch No. 173 of the 26th September last, I have the honour to forward herewith a copy and part translation of an order issued by the Imperial Governor on the 4th September, 1895, allowing Her Majesty's British Indian subjects to fly the German flag on their vessels, and of the later Regulations of the 10th July, 1897, revoking it.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure 1 in No. 106.

Circular, dated September 4, 1895.

(Translation.)

To the District and Assistant District Officers, Customs Board, and Finance Department:

NATIVE craft whose agents or owners are absolutely of German nationality or under German protection, are required to fly the German flag, as long as they fulfil the other conditions of the Government Regulations of the 1st March, 1893, regarding the flying of the Imperial flag; ordinary natives only are to be regarded as German subjects or under German protection, and all coloured people who before the 1st January, 1891 (the date of the taking over of the territory by the Imperial Government), had their domicile in the territory, and not subjects of an Eastern Power; for example, Arabs, Belorchis, natives of the Comoro Islands and Zanzibar; Indians are British subjects. If a vessel belongs to various people of different nationalities, it may fly a flag decided according to vote. The owner, if he had a domicile before the 1st January, 1891, both in Zanzibar and in German East Africa, therefore owes allegiance to two States, is entitled to choose what flag he wishes to fly.

Agents or owners of dhows who are not under German protection, but resident in

German territory, may be granted the German flag. If their vessels have up to now flown the English flag, upon requisitioning for the German flag, a Protocol must be drawn up, and a copy of the same, with the flag must be delivered up, giving the old number and letter, as well as the new number of the dhow. An example of the Protocol is inclosed herewith.

The English papers of a dhow, whether under a British or Sultan's flag, which is to be registered must be given up.

Acting Imperial Governor,
(Signed) VON TROTHA.

Dar-es-Salaam, September 4, 1895.

Notified to the Imperial District Office ...., *the* ...., 189...

(Translation.)

The Indian ...... personally known to the District Officer appeared before him, and gives the following Protocol:—

I have had my domicile here since .... and own in .... street of this town a stone house valued at about ...... rupees, which is not burdened by debt. I have not yet been punished for slavery or other such offences. The Wali .... of this town can certify as to the correctness of my statements. I am the owner of the dhow "Salamti," which is registered at the port authorities in Zanzibar as No. Z 50, and flies the English flag.

I hand over the papers and flag of the dhow, which have been in use until now, and I request that I may now be permitted to fly the German flag.

Signature of Indian :
....

Certified :
.... *Imperial District Office.*

Inclosure 2 in No. 106.

Circular, dated July 10, 1897.

(Translation.)

To all the District and Assistant District Officers, Chief Custom-houses, and Custom-houses Class I and II :

IT has been noticed that Indians, who are British subjects, have in error been permitted to fly the German flag. This permission is contrary to Article 32, No. 1, of "The General Act of Brussels of the 2nd July, 1890." In future when renewing the Articles and granting the flag, great care must be exercised to establish the nationality of the applicant. The flying of the German flag is to be prevented unless Article 32, No. 1, allows it. Bastards of Indians and natives must be treated as Coast people. The remainder of the former Circular is still in force.

Acting Imperial Governor,
(Signed) VON BENNIGSEN.

Dar-es-Salaam, July 10, 1897.

No. 107.

Mr. Cave to the Marquess of Salisbury.—(Received December 18.)

(No. 195.)

My Lord,

Zanzibar, November 10, 1899.

I HAVE the honour to transmit herewith copy of a despatch which I have received from Mr. Vice-Consul Dundas, inclosing his first Report on German East Africa.

I have, &c.
(Signed) BASIL S. CAVE.

Inclosure in No. 107.

Vice-Consul Dundas to Mr. Cave.

(No. 12.)

Sir,

Dares-Salam, November 1, 1899.

I HAVE the honour to inclose to you herewith my report on German East Africa from the 1st July, 1892, to 31st July, 1899.

I much regret that no mention is made of Law and Justice, Slavery, and Public Works. This report might have been sent off by the first week of September, but that I have been waiting for the particulars on the above three subjects. In spite of repeated promises from the officials concerned, I have been unable to obtain the desired information. The Imperial Governor to whom I have written has however, promised to give me full details, which will be embodied in my next report.

I have, &c.

(Signed) HENRY DUNDAS.

No. 108.

Mr. Cave to the Marquess of Salisbury.—(Received December 18.)

(No. 196.)

My Lord,

Zanzibar, November 13, 1899.

I HAVE the honour to transmit herewith, with reference to your Lordship's telegram No. 71 of the 10th instant, copy of a letter which I have addressed to Sir Lloyd Mathews with respect to the methods which have been hitherto adopted in connection with the abolition of the legal status of slavery. I also inclose a copy of a letter on the same subject which I have written to Mr. Herbert Armitage of the Friends' Industrial Mission.

I was fully alive to the fact that the terms of Article IV of the Decree of 1897 were capable of two interpretations, but I believed that it was the intention of Her Majesty's Government that a slave should be called upon before, and not after, he had obtained his certificate of freedom, to show that he possessed a regular domicile and means of subsistence. This system, which has been in force up to the present time, has been found to work admirably, and has practically put an end to vagrancy, whilst at the same time it has placed no real obstacles in the way of emancipation. But now that a slave can demand his certificate unconditionally and without producing, at the time, any evidence of his desire to earn an honest livelihood, I fear that his search for employment will, in many cases, end before it has begun, and that there will be a corresponding increase in idleness and crime; and if this is so, and if some other means cannot be devised for keeping a check on the liberated slaves, the alteration of the existing method, as well as exerting an evil moral influence on the slaves themselves, will be a source of danger to their neighbours and of annoyance and expense to the Administration.

I have, &c.

(Signed) BASIL S. CAVE.

Inclosure 1 in No. 108.

Mr. Cave to Sir Ll. Mathews.

(No. 89.)

Sir,

Zanzibar, November 11, 1899.

YOU will doubtless recollect the correspondence which passed between Mr. Herbert Armitage of the Friends' Industrial Mission, the Rev. J. P. Farler, and myself, in the month of June last with respect to the methods adopted by the officers of His Highness' Administration in Pemba in connection with the abolition of the legal status of slavery.

In my letter to Mr. Armitage of the 29th June, I expressed the opinion, which was shared by Mr. Farler, and, I believe, by yourself, that the intention of Article IV of the Decree of the 1st Zilkada, 1314, was to allow any officer who was empowered to deal with applications for emancipation to temporarily withhold a freedom certificate until the applicant was able to show that he possessed a regular domicile and means of subsistence; or, in other words, that a slave could be called upon to prove that his emancipation would not lead to his becoming a vagrant before, and not after, the grant to him of a freedom certificate.

I have now received a telegram from the Marquess of Salisbury informing me that the provisions of the above-named Article are understood by Her Majesty's Government to refer to the period after emancipation, and that an applicant for freedom cannot therefore be asked, as a condition precedent to his obtaining it, for more than is actually laid down in the Decree.

Lord Salisbury adds that any cases which may have been decided on any other interpretation of the wording of Article IV of the Decree should be properly reheard.

I have the honour to request that you will be so good as to cause instructions in this sense to be forwarded to Mr. Farler by the first opportunity.

I have, &c.

(Signed) BASIL S. CAVE.

Inclosure 2 in No. 108.

Mr. Cave to Mr. Armitage.

Zanzibar, November 11, 1899.

Dear Mr. Armitage,

I HASTEN to correct an error into which I was inadvertently led in my letter to you of the 29th June last on the subject of the methods adopted by His Highness' Commissioner in the Island of Pemba in connection with the abolition of the legal status of slavery.

I there stated that, in my opinion, the intention of Article IV of the Decree of 1897 was to give the Court "a discretionary power to temporarily withhold a slave's freedom until, by producing evidence of his ability and desire to settle down and earn his own living, he could prove that he was not, and was not likely to become, a vagrant."

In this interpretation of the wording of the Decree I was apparently mistaken, for, according to instructions which I had just received from Lord Salisbury, the provisions of Article IV are understood by Her Majesty's Government to refer to the period after, and not before, emancipation, and a slave must therefore receive his freedom certificate on application without having to show, until afterwards, that he has made provision for his future.

Instructions in this sense will at once be sent to Mr. Farler, and any cases which may have already been decided on any other interpretation of the Decree will be reheard.

I freely admit that your reading of the Decree was correct, but I must still maintain my opinion that, with a view to the prevention of vagrancy and crime, the methods adopted by Mr. Farler were, so long as they were not abused, the best that could have been devised alike in the interests of the freed slaves themselves and in those of the Administration. But whatever view you may hold on this matter, I fell confident that you will unreservedly accept my assurance that Mr. Farler's action and my own was based on a sincere desire to deal fairly and practically with a difficult problem, and not on any wish to place obstacles in the way of emancipation.

I remain, &c.

(Signed) BASIL S. CAVE.

No. 109.

Foreign Office to Sir H. Johnston.

(No. 258.)

Foreign Office, December 21, 1899.

Sir,

WITH reference to the Marquess of Salisbury's despatch No. 230 of the 23rd ultimo, I am directed by his Lordship to state to you that he authorizes the reduction from 20 to 18 rupees per mensem in the case of Soudanese joining the Uganda Rifles after the 1st instant if, after consultation with Colonel Ternan, you are convinced that the step will be attended with no risk arising from discontent of the men when they compare the pay with that of soldiers enlisted before the 1st instant.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 110.

The Marquess of Salisbury to Sir A. Hardinge.

(No. 206.)

Sir,

Foreign Office, December 23, 1899.

MR. CAVE'S despatch No. 167 of the 15th September last incloses a copy of the Decree of the Sultan of Zanzibar reimposing the general 5 per cent. import duty, and gives a list of merchandize which will continue to be imported duty free; his despatch No. 182 of the 11th October contains additions to the free list, but neither of these despatches shows that provision has been made for executing the final paragraph of Article VII of the Treaty of 1886 between Great Britain and Zanzibar, which exempts from all duty agricultural machinery and means of transport fulfilling certain specified conditions, or Article IV of the Agreement of the 22nd December, 1890, between Great Britain, Germany, and Italy which, taken in conjunction with Article III of the Berlin Act, exempts these articles absolutely from import and transit duties.

It is, however, possible that these exemptions are well known to the Customs officers, and are observed in practice; but, unless there is good reasons for not doing so, they should have been incorporated in the Decree imposing the new duties.

I am, &c.

(Signed) SALISBURY.

No. 111.

The Marquess of Salisbury to Sir. A. Hardinge.

(No. 207.)

Sir,

Foreign Office, December 23, 1899.

I HAVE received Mr. Cave's despatch No. 182 of the 11th October last, forwarding correspondence respecting the transhipment and storage of merchandize and other details of customs treatment which have been brought up by the reimposition of the general 5 per cent. import duty at Zanzibar.

The arrangements now made have, as appears from the fourth inclosure in Mr. Cave's despatch, been accepted by the merchants of all nationalities, and it may therefore be assumed that they meet the requirements of trade.

The Government of Zanzibar should, however, be careful to watch the working of these arrangements; in view of the possible competition of the ports on the German coast, it behoves Zanzibar to be liberal in regard to the transit trade, as it would be manifestly better for Zanzibar to forego the collection of a relatively small amount of duty than to lose that trade, which must represent a considerable value in the way of wages, handling, and other indirect sources of prosperity and revenue.

The Government should consider whether the system of private bonded warehouses might be adopted, as it can hardly pay, with possible competition in German ports, to make warehousing of goods in transit a source of real revenue to the Administration.

It appears from the letter of the 26th September last from Messrs. Boustead, Ridley, and Co., and others, which forms inclosure three to Mr. Cave's despatch, that there is no refund of duties in the case of merchandize re-exported to the German and Portuguese ports; I wish to know the reason of this difference of treatment, because the British and Italian Protectorates are, for customs purposes, foreign territory to Zanzibar, all the more, therefore, the German and Portuguese territories.

This information may be required in case any question is raised as to this apparent differential treatment of the latter territories.

I am, &c.

(Signed) SALISBURY.

No. 111*.

Foreign Office to the Law Officers of the Crown.

Gentlemen, *Foreign Office, December* 23, 1899.

I HAVE the honour, by direction of the Marquess of Salisbury, to transmit to you the papers, noted on the accompanying list, which relate to the claims made by private individuals or Societies for compensation for losses which they suffered owing to the mutiny in 1897–98 of the Soudanese soldiers in the pay of the Uganda Protectorate, and owing to the military and other operations undertaken by Her Majesty's Government to suppress that mutiny.

An account of the mutiny and of its suppression will be found in the accompanying Report on the subject, which has been laid before Parliament, and which appears to show that all possible steps were taken to suppress the mutiny as quickly as the peculiar circumstances of Uganda allowed, and that no evidence of wanton or avoidable destruction of property by troops or other persons who were under the control of Her Majesty's Government could be produced.

Among the papers will be found a collection of Law Officers' Reports (Document E) dealing with the question of the liability of Governments to compensate individuals in respect of losses incurred during foreign invasion, civil war, insurrection, riot, and mutiny.

You will also find a Memorandum (Document F) which is intended rather to serve as an index to these Reports than to give an absolutely accurate précis in each case of the principles of law on which they are severally founded. The Memorandum also contains a short reference to certain recent and instructive precedents not dealt with in the Reports.

Many of the cases treated in the inclosed collection of Reports and Memorandum are not exactly similar to that now referred to you; but Lord Salisbury thinks it better not to restrict the information placed before you to the few exact precedents which might be found, but to give details with regard to cognate cases, so as to furnish a comprehensive view of the whole subject.

Such a course appears to be especially useful with regard to the case now under review since it is one to which precisely opposite precedents cannot readily be quoted, but which nevertheless appears to hinge on the cardinal principle that responsibility cannot properly attach to a Government in respect of acts which it was powerless to prevent or control by the exercise of reasonable and ordinary care.

I have the honour to request you to take the inclosed papers into your consideration and to favour Lord Salisbury with your opinion as to whether any, and, if so, what, amount of compensation is due by Her Majesty's Government in respect of all or any, and, if so, which, of the claims severally set out—

1. In Mr. Berkeley's despatch of the 27th July last;
2. In his letter of the following day; and
3. In the letters of the 20th October and the 8th instant from the Church Missionary Society.

I am at the same time to request you to favour his Lordship with any observations which you may wish to make on the papers generally.

I have, &c.
(Signed) FRANCIS BERTIE.

List of Papers.

(A.) Mr. Berkeley	July	27, 1899
(B.) Ditto	July	28, „
(C.) Church Missionary Society	October	20, „
(D.) Ditto	November	8, ,
(E.) Law Officers' Reports.		
(F.) Memorandum.		
(G.) Report on Uganda Mutiny.		

No. 112.

Sir H. Johnston to the Marquess of Salisbury.—(Received Deeember 25.)

(No. 15. Uganda.)

My Lord, *Eldama Ravine, November* 6, 1899.

I HAVE the honour to forward to your Lordship herewith the Estimates for the Revenue and Expenditure of the Uganda Protectorate for the financial year 1900–1901.

Your Lordship will observe that these Estimates show a saving in expenditure of 62,462*l.* over that which has been estimated for during the current year, while the estimated Revenue for the same period (1900–1901) shows an increase of 4,070*l.* over this year's estimated Revenue.

The Estimates in question have been partly drawn up by Colonel Ternan, Deputy Commissioner, and partly by myself. They represent to some extent a compromise between the divergence in our views in regard to certain heads of expenditure. I am at present of opinion that a still greater economy might be effected in the expenditure of Uganda, mainly under military and transport. Colonel Ternan shares my views as to the transport, but as regards the military expenditure, I have not yet acquired sufficient knowledge of the country to pronounce a decided opinion regarding the kind of military organization best suited to its needs, and the minimum sum for which such organization could be established.

I have, therefore, to a great extent accepted Colonel Ternan's Military Estimates, though I have made in these certain reductions and alterations where I deemed myself to be in the possession of sufficient knowledge to do so. The total for Colonel Ternan's Estimate for military and police was 105,657*l.* 10*s.* 2*d.* My reductions make this total 103,532*l.* As I said before, I entertain the hope that I may see my way to further economy under the head of " Military Expenditure," but it would be unfair to Colonel Ternan's administration if I were to propose any abrupt change until I am sure that such a change would be beneficial on the score of efficiency as well as economy.

It will be noticed that acting on a suggestion of Colonel Ternan's, I have included police and prisons under the " Military Schedule."

As regards Schedule No. 1, the salaries of the civil staff, my total is only slightly less than that of the sanctioned Estimates for the present year; but on the other hand, it is considerably below the amount suggested by Colonel Ternan (25,207*l.*) in the Estimates he sent for my consideration. This difference is due to certain misapprehensions as to charges and posts not allowed or created in the present Estimates, and also to the inordinate number of clerks applied for. My present experience of the country shows that the tendency in Uganda in regard to every Department, or section of a Department, is to create a principal post, and then supplement it by an assistant official, and then grant two or more clerks. The tendency then is for these Anglo-Indian clerks to work overtime, and to a great extent do the work of the two well paid European officials, who could very well do a great deal of the clerical labour themselves, and who indeed had been accustomed to do it until quite recently, when Indian clerks were introduced into the country.

The only changes of any importance for which I am myself responsible in drawing up this Schedule No. 1 are the allotment of 100*l.* towards the payment of my Private Secretary, and the detaching of Mr. Cunningham from any personal dependence on myself to a definite post as Secretary to the Uganda Administration. That is to say, that in lieu of my former secretarial allowance of 500*l.*, I propose an allowance of 100*l.* towards the salary of my Private Secretary (Mr. Alexander Johnston), and the appointment of Mr. J. F. Cunningham (at present Secretary to the British Central Africa Administration on leave of absence), to be Secretary to the Administration of the Uganda Protectorate at a salary which would be that which he would be entitled to in British Central Africa during 1900–1901. If your Lordship approves of this arrangement, Mr. Cunningham can be appointed to Uganda from the 1st April next, and his name be removed from the list of British Central Africa officials. I have found that to carry on effectively the administration of the Uganda Protectorate, there must be a person of knowledge and responsibility as Secretary at head-quarters, say for the present at Port Alice or Kampala; while on the other hand, the duties of my Special Mission oblige me to travel incessantly over the Protectorate and the adjoining territories, and I must have, in addition, the services of a Private Secretary who can accompany me on those journeys. I trust therefore that the arrangement proposed in these Estimates may be approved. I should in that case pay a portion of my Private Secretary's salary. This gentleman would not be, strictly speaking, an official of the Uganda Protectorate; his salary would only be estimated for from year to year, and his services in regard to Uganda would cease with the termination of my Special Commission.

Medical Department: Schedule No. 2.—In dealing with the Medical Department I have added an item for hospitals, a change proposed by Colonel Ternan. This, together with the allotment of the police and prisons to the military, enables us to abolish the former Hospital and Prisons Schedule No. 11 in the sanctioned Estimates. In spite, however, of having added the expenditure of hospitals to the medical vote, I have managed to keep the latter a few pounds below the Estimates for the current year.

Military and Police: Expenditure Schedule No. 3.—In regard to the expenditure on military and police, in addition to the remarks above made, I might state that if Colonel Ternan should at any time withdraw from the Uganda Protectorate service for reasons of health, or because appointed to another military post, I should not propose that his successor should continue to receive the relatively high pay of 1,050*l.* which is allotted to Colonel Ternan. I should think that 900*l.* a-year would suffice for the salary of a Commandant. Colonel Ternan, of course, is Deputy Commissioner as well, and I am not sure but that to represent the case fairly, as it stands, 100*l.* of his pay should not be allotted to the Civil Estimate. But if Colonel Ternan should at any time withdraw from the Uganda service I should not propose, in the case of his successor, that the post of Deputy Commissioner be allied to that of Commandant, but that it should be conferred on a civilian, without prejudice to the possibility of the Commandant being called upon to act as Commissioner of the Protectorate in the absence of the Chief Executive Officer, a practice which might or might not be followed, as Her Majesty's Government deemed fit.

I have reduced the three field officers at 800*l.* each to two, as I understand Lieutenant-Colonel Martyr is not returning to Uganda when his leave of absence is up, and, if this is the case, I do not propose that a third field officer should be appointed, especially as my taking over the administration of Uganda will enable Colonel Ternan to devote himself more exclusively to his military duties.

I have cut out the Medical Department under "Military and Police," as it is unnecessary with the present large staff of civilian medical officers.

I have reduced the average pay of the Soudanese and Swahilis to 18 rupees instead of 20, following a suggestion of Colonel Ternan's. On the other hand, I have agreed with Colonel Ternan that the number of these troops should be slightly increased.

In the Indian contingent I have accepted practically, without alteration, the estimate sent in by Colonel Ternan, whose specification for arms, equipment, and clothing I have likewise accepted as it stood. I have also, to a great extent, met the views of Colonel Ternan in regard to the increased expenditure on Maxim gun-porters, on musketry prizes, and on military buildings; but I have considerably reduced his proposed expenditure on the military depôt at Mombasa, having satisfied myself that with the cessation of recruitment among the Swahilis, this section has become to a large extent unnecessary, and its duties might be perfectly well performed, with one exception, by the Transport Department, to whom in consequence I have allotted a slight additional increase in clerical assistance. The one particular in which perhaps military help is wanted at Mombasa is that of receiving and dispatching small numbers of soldiers and non-commissioned officers who may be proceeding to and from England and India, and who might preferably be lodged in the barracks at Mombasa while remaining at that place. To meet this charge I propose to pay a small sum to the military authorities at Mombasa. As I have before said, I consider the military expenditure of Uganda capable of still further reduction, but I shall not give effect to that opinion unless it is amply confirmed by more intimate acquaintance with the country and its needs.

Native Staff: Expenditure Schedule No. 4.—In the native staff Schedule I have effected an economy of 4,845*l.* on the present year's estimate, an economy partly due to the transference of some of the men hitherto engaged under this heading to the Public Works and Scientific Departments. I have inserted in this Schedule the temporary engagement of Sergeant-Major Ali Kiongwe, who had recently retired from the service of the British Central Africa Protectorate on a pension.* Ali Kiongwe, who has assisted me with my work in Africa for the past fifteen years, who is an admirable linguist, and is thoroughly acquainted with the peoples and politics of Uganda and the adjoining territories, as well as with the Congo region, British East Africa, and British Central Africa, will assist me in certain negotiations with the Chiefs regarding the land question and other matters. He will also be to all intents and purposes the head of a Native Intelligence Division. I engaged Ali Kiongwe from the 1st October, and I shall endeavour to bring his salary for the current year, six months, into the expenditure, sanctioned under Schedule No. 4, by adjusting the sums allowed for interpreters, the full number of those sanctioned not being yet engaged.

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* Which pension he will cease to draw whilst in the temporary service of Uganda.

Transport and Passages: Schedule No. 5.—Under "Transport and Passages" I have effected an economy of 24,722*l*. A portion of this economy, however, is due to the creation under the "Military" section of a special military transport. I am of opinion that this Schedule of Expenditure might be further reduced, but I do not like to take upon myself the responsibility of doing so until I am better acquainted with the country. There is one very important question, however, connected with the Uganda transport, and that is railway charges. In no estimate yet sent in to the Foreign Office have these charges been provided for; yet, apparently, between July 1897 and the 30th June last Mr. Wilson, Coast Agent of the Uganda Protectorate, has paid to the railway Company a sum of 359,006 rupees (equivalent to 23,936*l*.). Of this total the sum of rupees 57,505 : 3 (3,833*l*. 1*s*. 1*d*.) has been paid for the first quarter of the present financial year. Mr. Wilson estimates from this first quarter that the probable year's expenditure on railway charges for all services of the Uganda Protectorate may amount to, say, 16,000*l*. I await the decision of the Foreign Office as to whether this sum is to be added to the transport estimate, or whether the Government will see its way to decide that no money payment shall take place between the Uganda Protectorate and the Uganda Railway Company.

Public Works: Expenditure Schedule No. 6.—My estimate for the "Public Works" is 2,000*l*. or 3,000*l*. below that sanctioned for the present year, though it provides for a great deal more building work, and includes within it items withdrawn from other Schedules. I have adopted indents sent in by Colonel Ternan, and have followed most of his proposals.

In the Expenditure Schedule No. 6, "Public Works," I have found it necessary to insert the sum of 2,400*l*. for the establishment of a Survey Department. It has become so important to us lately to know where to fix our boundaries in connection with the Germans on either side of the Victoria Nyanza. Military posts will have to be established on these frontiers to check smuggling, slave-trading,* and gun-running. In addition to this, we require for many other purposes to have portions of the country accurately surveyed. Whilst in England last summer I went into the question of a possible Uganda Survey Department with Sir Thomas Holdich. He strongly recommended for the organization and direction of this Department Captain Pirrie, R.E., of the Indian Survey.† Captain Pirrie drew up a statement upon which I have based the present estimate. If your Lordship should approve of the institution of this Department immediately (as I trust will be the case), and the Treasury agree to pass the item in the Estimates, Captain Pirrie might be communicated with immediately. He is, at present, at home on leave. His address could be obtained either from the War Office or from Colonel Sir Thomas Holdich. He might then make ready to proceed to India soon after the beginning of next year, so as to arrive at Mombasa with his staff ready to proceed up country about the 1st April. If this could be arranged, his travelling expenses to India could, I think, be met out of the "Transport and Passages" included in the present year's expenditure. If your Lordship decides to offer this post of Surveyor to Captain Pirrie, he might be communicated with and furnished with information as to the amount estimated for. He might be told that it is quite useless to propose any further expenditure on the subject, and unless he sees his way to carrying out the task on the allowance of the approved estimate the post might be offered to some other person. In Captain Pirrie's original estimate provision was made for the cost of the passage money of the Indian Surveyors from India to Mombasa, but I cut that out because all passages are provided for in the Schedule of "Transport and Passages."

I write on the subject with some emphasis, because I have just seen Colonel Coles of the Uganda Rifles, who has impressed on me most emphatically the necessity of our realizing by a survey the actual boundary-line of the Uganda Protectorate and German East Africa in the vicinity of the east coast of the Victoria Nyanza, in order as aforesaid to know where we may place a frontier post to check the abuses above referred to.

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* Which I am surprised to find is a regularly established institution in the eastern part of the Uganda Protectorate, the slaves being drawn from the districts north of Baringo and Mount Elgon, and being conveyed thence by Arabs into German territory . . . no doubt under the euphemism of "labourers."

† Captain F. W. Pirrie, I.S.C., Deputy Sergeant, Survey of India.

Customs: Schedule No. 7.—This Schedule calls for no comment.

Printing and Stationery: Schedule No. 8.—I have included in this Schedule proposals made by Colonel Ternan for the establishment of a printing office in Uganda. Colonel Ternan gives excellent reasons for this expenditure, pointing out how necessary a Government printing office is owing to the breakdown of the Mission press, which has failed to carry out contracts intrusted to it. I have also forwarded a large indent for stationery, framed by Colonel Ternan, and I have provided for Uganda's contribution towards the establishment of a Government Gazette at Mombasa, which your Lordship recently sanctioned by telegram. On account of these alterations my Stationery Schedule for next year is 935*l.* in excess of that for the present year, but I think the increase of expenditure is fully justified.

Mail Service: Schedule No. 9.—The total for next year is 1,330*l.* in excess of that for the present year, though there is actually a diminution of expenditure on many heads. The difference is accounted for by the inclusion of a sum intended to cover the cost of telegrams between Mombasa and England. This item, by some oversight, had never been provided for in preceding estimates. I have framed the Estimate for the "Mail Service" for next year in accordance with the views which I expressed to your Lordship in a recent despatch proposing the fusion of the Uganda and East Africa Postal Services.

Marine: Steamers and Boats, Schedule No. 10.—In this Schedule I have effected an economy of 5,196*l.* The present year's Estimates are out of all proportion with the means of the Uganda Protectorate. With scarcely any vessels but one steam-launch in existence, they make provision for the management of a fleet.

As regards the Marine Superintendent. The gentleman occupying this post ought certainly to be a trained naval surveyor, as for some time he can have little else with which to occupy himself but the very necessary survey of the Lake. Mr. C. W. Fowler, C.M.G., late of the Royal Navy, is at present attributed to this post, but I do not know whether he is acquainted with marine survey work. If not, I should propose later on to draft him into the Civil Service, and to ask your Lordship to appoint a properly qualified officer to take his place. Unless your Lordship had any one else in view, I would propose Lieutenant E. L. Rhoades, at present Second Marine Officer in the service of the British Central Africa Protectorate. Mr. Rhoades, having done excellent surveying work on Lake Nyasa, would be the very man to survey the Victoria Nyanza.

Hospitals and Prisons and Expenses at Zanzibar: Schedules Nos. 11 and 12 of this year's Estimates have been abolished. The items for "Hospitals and Prisons" have been placed in the Schedules for the "Medical Department" and for the "Military."

In a former despatch I asked your Lordship to sanction the abolishment of the allowance of 90*l.* a-year made to Her Majesty's Agency at Zanzibar for correspondence and accounts' work, the reason being that, owing to the cessation of the engagement of Swahili soldiers and porters at Zanzibar, and the transference of other business from Zanzibar to Mombasa, this payment was rendered unnecessary. All the correspondence formerly affecting Zanzibar has been transferred to the Commissioner's office at Mombasa.

The present Schedule No. 11 ("London Agency") remains unaltered; likewise Schedule No. 12 ("Pensions and Gratuities").

In Schedule No. 13 ("Scientific and Agricultural Department") I have introduced considerable changes and additional expenditure, thereby showing an increase in the present year's Estimates of 1,900*l.* Most of these additions have been recommended by Colonel Ternan and adopted by myself. Colonel Ternan proposed even greater expenditure, which I feared would not meet with the approval of the Treasury at the present time, though I fully sympathized with the aims Colonel Ternan proposed to carry out. I have, however, not materially affected the efficiency of his schemes by the reductions I have made.

As regards Schedule No. 14 ("Local Audit"), a slight economy has been effected at Colonel Ternan's suggestion, but I am not clearly enlightened as to the position of Mr. W. Bowring, who, I understand, has been appointed Assistant Local Auditor, but for whom no provision has been made in the Estimates of the current year. I will report to your Lordship on this matter when I reach Kampala.

I have reduced Schedule No. 15 ("Contingencies") by 525*l.* I have, however, raised the item "Presents to Chiefs" to 1,000*l.*, with the intention of employing this money, if granted, in acquiring for the Imperial Government land rights which it may be necessary to purchase from certain Chiefs.

As regards Schedule No. 16 ("Bombay Agency"), I fancy there must be a clerical error in the present year's Estimates, for if the Agent is to receive 600*l.* a-year, and his pay to be divided between the four Protectorates, the share of Uganda would be only 150*l.*, and not 200*l.*, as stated in the printed Estimates for this year.

I understand that all charges for the relief expedition have been met during the current year. I, therefore, make no provision for them in next year's Estimates.

As regards the Estimates for the revenue of Uganda, those which I forward are practically of Colonel Ternan's composition. I have no means of pronouncing as to the accuracy of his forecasts, and I fear that he himself must be a little dubious on this score, since the backwardness of the Uganda accounts does not enable us to show what receipts were gathered in during any one previous financial year. Therefore, these Estimates must be regarded to some extent as guess-work. I am assured, however, that on certain accounts the receipts show such a decided improvement, and I so am convinced myself of the practicability of tapping new sources of revenue, that I am tolerably confident our anticipations as to next year's revenue may be realized.

Taking the sum total of the anticipated Revenue (23,300*l.*) from the estimated Expenditure (197,683*l.* 10*s.* 6*d.*), there remains a sum of 174,383*l.* 10*s.* 6*d.* for which a grant-in-aid from the Treasury is asked.

Trusting that these Estimates will meet with your Lordship's approval, and may be sanctioned by the Treasury, I have, &c.

(Signed) H. H. JOHNSTON,
Her Majesty's Special Commissioner.

P.S.—I regret that owing to the changes, I have deemed it wise to make in the drawing up of the Uganda Estimates—in which changes I have often followed Colonel Ternan's suggestions—I have found it difficult in many cases to draw up the Schedules in the same form as those in force during the present year. Therefore correspondence in details is often wanting, and a comparison in some Schedules is best made by a comparison of totals.

H. H. J.

Inclosure in No. 112.

Estimate of Revenue and Expenditure for the Year ending March 31, 1901, *as compared with the Estimate for the previous Year* 1899–1900.

[Printed separately.]

No. 113.

Sir H. Johnston to the Marquess of Salisbury.—(Received December 25.)

(No. 19. Uganda.)
My Lord,

Eldoma Ravine, November 14, 1899.

BEFORE leaving this place for Kampala (which I shall do to-morrow) I have thought it well to devise a slightly different arrangement of local districts in this eastern part of the Uganda Protectorate, which will answer to recent developments and facilitate administration. I would therefore ask your Lordship to consider, and if possible to approve, as quickly as possible of the following arrangement:—

Mau District.—The Mau district, which shall have for the present time its capital at the station of Naivasha, shall be bounded as follows: On the east the boundary of the British East Africa Protectorate; on the south the Anglo-German frontier; on the west the shores of the Victoria Nyanza; and on the north a line drawn eastward from the Victoria Nyanza and south of the country of Milambo along the boundary between the Lumbwa-Sotik tribes, round the northern flanks of the Mau Plateau to the source of the River Molo, and thence along the River Molo to its junction with the Molo-Nyuki stream; from this point along the Molo-Nyuki to its source in the Laikipia escarpment.

Nandi District.—The Nandi district is bounded on the east by the water-parting between the streams flowing into the Victoria Nyanza and those flowing into Lake Rudolf and into Lake Baringo; on the south by the northern boundary of the Mau district; on the north by the main course of the Nzoia River; and on the west by the western escarpment of the Nandi Plateau, and from the south-westernmost point of this plateau a line drawn in a south-westerly direction to the north shore of Ugowe Bay in the country of Usembo, and thence along the coast of the Victoria Nyanza southward to the frontier of the Mau district.

Kavirondo District.—The eastern and southern boundaries of this district will be in future the western boundary of the Nandi district.

Baringo District.—The boundaries of this new district will be on the east the boundary of the British East Africa Protectorate; on the south the northern boundary of the Mau district; on the west the eastern boundary of the Nandi district, and thence the western limits of the Elgeyo Plateau; and on the north by a line drawn from the frontier between the Suk people and the natives of Elgeyo and Kamasia across the Kerio River to the south shore of Lake Sugota, and thence due east to the boundary of the British East Africa Protectorate.

For the present I would propose that the Administrative capital of the Baringo district should be the Eldoma Ravine Station, to which I find that the natives of the Baringo country naturally trend for the settlement of their disputes. I should be disposed to make Mr. James Martin the official in principal charge of the Baringo district. I would, for the present, continue Captain Gorges as District Officer (civil as well as military) of the Mau district, and I should select possibly Major Cooper to be civil as well as military officer in charge of the Nandi district, at any rate for the present. A small portion of this Nandi district would be removed from the control of Mr. Hobley, the officer in charge of Kavirondo. This settlement would facilitate arrangements made with Lieutenant-Colonel Coles and others for the smooth working of judicial affairs in connection with the advance of the railway through the new Nandi district, a district which really has very little in common with Kavirondo proper. The Nandi district, from a military point of view, requires separate consideration. It would answer to that portion of the country hitherto somewhat vaguely designated in Uganda Estimates as "Rail-head."

Colonel Coles and myself have both been agreed that advantage should be taken of Captain Gorges' cultivation of friendly relations with the natives in his district to send this official on a tour of inspection to the western part of the Mau district, up to the shores of the Victoria Nyanza, and I have accordingly issued instructions to that effect to Captain Gorges.

As it is advisable for Administrative reasons that this redistribution of districts should be made known as soon as possible, I would respectfully ask your Lordship if the proposal meets with approval to send me a telegram to that effect.

I have, &c.
(Signed) H. H. JOHNSTON,
Her Majesty's Special Commissioner.

P.S.—I append a sketch map to illustrate the text of this despatch.*

H. H. J.

No. 114.

Sir H. Johnston to the Marquess of Salisbury.—(*Received December 25.*)

(No. 20. Uganda.)

Eldama Ravine, November 17, 1899.

My Lord,

I HAVE had to defer my departure from the Eldama Ravine owing to a great deal of business connected with the eastern part of this Protectorate, which I was required to transact. I am glad to say, however, my delayed visit here has enabled me to bring several questions to a satisfactory settlement. One matter which has engaged my attention very much during the last few days is our relations with the districts round Lake Baringo, and thence north-west along Lake Rudolf. The western part of this country is inhabited by the Kamasia people, who have hitherto been rather ill-disposed towards the British Government, and constantly given to internecine warfare and petty raids, which have closed their country to peaceful commerce.

Some while ago Major (now Colonel) Ternan headed a punitive expedition against some of these Kamasia Chiefs. Two Chiefs not attacked on this occasion, named Mitei and Kimamet, conceived that this immunity (which was owing, I believe, to ignorance of their existence) arose from their being too strong to be attacked. They, therefore, recommenced their lawless procedure, and the other day made a serious raid on some friendly people living not far from the Ravine Station.

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* Not reproduced.

Before organizing a military expedition against them, I thought I would try the experiment of summoning these Chiefs to a Conference. I therefore, with the aid of Mr. James Martin, called together all the Kamasia Chiefs. To our great surprise they all attended on the day appointed. I heard the various complaints against the offending Chiefs, and sentenced two of them (Mitei and Kimamet) to make good cattle which they had raided, and to pay blood money for persons killed in their raids. Mitei (who was the greatest offender) was required to pay twenty-three cattle in fourteen days. He paid them in four, and having promised future good behaviour, I have agreed to recognize him pending such good behaviour as Chief over his own particular district. Kimamet was only fined three cattle, but he has not yet paid them, though the time allowed for payment has not yet elapsed. All these Chiefs told me that they would find it easier to control their warlike young men if we established a post in their country.

Apart from all this, my attention has been drawn to the fact that Arabs and Europeans are beginning to enter the Baringo country on more or less unlawful motives, and without passing through our Custom-houses. They branch off at a certain point on the caravan road from Mombasa, strike north-west past Mount Kenia, and enter the Baringo country from the Laikipia Escarpment, thus not only evading our Custom-house at the Ravine Station, but entirely waiving all compliance with the various Regulations in force respecting quarantine on diseased cattle, game licences, porter Regulations, and so forth.

The Arabs come into the country to trade in slaves with the Wasuk and other people at the back of Mounts Chibcharañan and Elgon. Some of these slaves are smuggled by devious routes past the Eldama Ravine through the Sotik country into German territory, where they make their appearance as "free labourers." Others, however, are taken right across Gallaland into Abyssinia. The Europeans are coming now in increasing numbers to shoot elephants and to trade in ivory with the natives. Some of these Europeans are little better than freebooters. From this, serious troubles arise with the natives, who are gradually becoming very ill-disposed towards the white man, and who are ready to avenge their wrongs on perfectly harmless explorers or sportsmen. I, therefore, propose to take the following action.

Finding that Mr. James Martin has more policemen and workers on the Eldama Ravine Station than are absolutely necessary (as he himself has pointed out to me), I propose to form a small post on or near Lake Baringo under the charge of a Soudanese sergeant, which post will endeavour to keep the peace amongst the natives, and warn Mr. James Martin of the passage of caravans, Arab or European.

I have further to ask your Lordship's sanction for the following proceeding. I have ventured to issue an Order that until further notice the Uganda Protectorate can only be entered from the north-east, east, or south-east by way of two ports of entry, Naivasha and the Eldama Ravine Station. At one or other of these stations all travellers entering the Protectorate must call, to pass the Customs and to satisfy the officer in charge that they are conforming to quarantine and other Regulations in force. Up to the present moment the cattle plague has not entered the Uganda Protectorate from the adjoining Protectorate of East Africa; but if these roving caravans of Europeans are to enter the first-named Protectorate with cattle without submitting to the quarantine Regulations, there is great danger of the plague spreading. For these and other reasons, such as the dangerous quarrels which are beginning to arise between the natives to the north of Lake Baringo and Europeans, I have considered this matter of sufficient urgency to publish the Notice without waiting for your Lordship's approval. The Regulation is not one which can cause the slightest inconvenience to any well-disposed person. Only smugglers and evil-doers could wish to enter the Protectorate without calling at one or other of these stations.

I should like to be allowed to go further in the matter. I should like to receive authority from your Lordship to close to European travellers temporarily the district lying between Lake Sugota and the south and west shores of Lake Rudolf and the Kamasia Highlands until the administration of the Uganda Protectorate had had time and opportunity to pacify the country (which I am convinced might be done at the present time by peaceful negotiations), and to establish one or two posts which might give security to travellers, and also to take measures to prevent the reckless killing of elephants, and the infringement of the Game Regulations. So far as I can make any plans, I intend to visit the district referred to in March or April next, and soon afterwards I hope to be able to throw it open to lawful commerce. If the power above asked for were accorded me I would use it with discretion, and possibly allow well-equipped caravans, headed by men of good reputation, to enter this disturbed country, provided I was certain, firstly, that the caravan could defend itself if attacked, and secondly, that it was under the command of individuals sufficiently high-minded not to misuse their force or to take advantage of the absence of officials to infringe Regulations concerning the shooting of elephants.

I have, &c.
(Signed) H. H. JOHNSTON,
Her Majesty's Special Commissioner.

Inclosure in No. 114.

Sketch Map of North-East Uganda Protectorate, showing Area from which it is proposed to exclude European and Arab Caravans temporarily.

[Not printed.]

No. 115.

Acting Commissioner Craufurd to the Marquess of Salisbury.—(Received December 25.)

(No. 184.)

My Lord, *Mombasa, November* 13, 1899.

MR. CAVE has sent to me a copy of his despatch No. 191 of the 3rd November to your Lordship respecting the proposed retention of a portion of the import duty on goods re-exported to the mainland from Zanzibar.

In this connection I would beg to refer your Lordship to my despatch No. 145 of 26th September, wherein I endeavoured to show that were shippers to claim their full rights under the Treaties with Zanzibar, and a refund of the whole duty upon re-exportation of their goods, the country handling such in transit would be put to considerable expense without any return; secondly, if the authority that last handled the goods was content to waive its claim for full duty, it would lose by the amount retained by the country through which the goods passed in transit; and, thirdly, that this would, by the nature of the trade of British East Africa, be greatly to our disadvantage.

The solution I offered was that full duty under the Treaty should be claimed by the country that last received the goods or produce, and that the handling of transit merchandize should be charged for in Mombasa under the Fees and Royalties Regulations, and I think that some similar course might be pursued by the Zanzibar Government.

It is clear to my mind that the effect of the re-imposition of customs duties at Zanzibar will be to cause an increase in the direct trade with the mainland, for the necessary declarations of the port to which re-exportation will take place and the charges for handling goods will naturally incline merchants on the mainland to avoid the old and cumbrous method of trading viâ Zanzibar, a seaport 150 miles from the capital of British East Africa.

There has been a rumour that in the political negotiations that may possibly take place in Europe, that the Zanzibar Protectorate might become a useful item in a diplomatic settlement; any concession, therefore, made by British East Africa on behalf of the Zanzibar Islands would, in the event of their transfer to another Power, become a permanent loss inflicted upon British interests on the adjoining continent.

Apart from the foregoing observations it will be apparent, should in the future a policy of consolidating British interests in this part of the world be determined upon, that Mombasa, the gate of England's East African mainland territory, possessing a permanent railway to the interior, a water supply drawn from perennial glacier fed streams, and a land-locked defensible harbour, would become far more worthy of the support of the Foreign Office and the Admiralty than Zanzibar, a roadstead open to attack from all sides, where the water supply is at times deficient, and of which the trade, excluding coal, is more important to Germany than Great Britain. It appears to me but reasonable, now that millions of the British tax-payers' money are being expended on the East Africa Protectorates, that some effort should be made to increase the direct, and put the transhipment trade into British merchants hands in Kilindini rather than in those of foreigners in Zanzibar or Dar-es-Salaam.

I therefore most respectfully venture to urge that your Lordship will not forego any of the advantages, present or prospective, that belong to the British mainland through sympathy with the difficulties experienced in Zanzibar.

I am led to believe that an attempt will be made by the Government of Dar-es-Salaam to capture all the transhipment trade from Zanzibar; and I think that if the loss that is likely to follow the re-imposition of the customs duty at Zanzibar be turned into a gain to any Administration, it should preferably be diverted to the British East Africa mainland.

I have, &c.
(Signed) CLIFFORD H. CRAUFURD.

No. 116.

Acting Commissioner Craufurd to the Marquess of Salisbury.—(*Received December* 25.)

(No. 190.)

Mombasa, November 28, 1899.

My Lord,

I HAVE the honour to transmit herewith a copy of a despatch which I have received from the Acting Sub-Commissioner of the Province of Seyyidieh requesting that the Bombay Gambling Act (No. IV of 1897) be put into force in this Protectorate.

I have consulted Her Majesty's Judge on this subject, and learn that his opinion is that no one but the Secretary of State can cause the Act to be put in force. I therefore venture to suggest that your Lordship may be pleased to issue the necessary order.

I have, &c.
(Signed) CLIFFORD H. CRAUFURD.

Inclosure in No. 116.

Acting Consul Tritton to Acting Commissioner Craufurd.

(No. 141.)

Mombasa, November 21, 1899.

Sir,

I HAVE the honour to respectfully suggest that the Bombay Act No. IV of 1897, an Act to consolidate and amend the law for the prevention of gambling in the Presidency of Bombay, may be put in force for the Province of Seyyidieh. I have frequently had men brought before me charged with gambling, when doing Magisterial work in the Provincial Court, and been powerless to act.

As you doubtless are aware, a great number of thefts, and out of all proportion to the size and inhabitants of Mombasa, occur daily, and upon making inquiries from the respectable merchants and old inhabitants of Mombasa, they inform me that if the Government would stop the people gambling, it would, in their opinion, lessen the number of thefts and petty offences. I am also strongly of their opinion.

I have the honour to transmit, for your perusal, a true copy of the Act,* which I am asking you to put in force. It has been taken from the Bombay Code, second edition, volume iii, 1896.

I have, &c.
(Signed) J. W. TRITTON.

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* Not printed.

No. 117.

Viscount Cromer to the Marquess of Salisbury.—(Received December 25.)

(No. 211.)

My Lord, *Cairo, December* 11, 1899.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 75 of the 3rd ultimo, forwarding copies of correspondence which has passed between the Foreign Office and the Intelligence Division of the War Office respecting a proposed expedition from Uganda to the Bahr-el-Ghazal.

This correspondence has been submitted to Lord Kitchener, who makes the following observations:—

He does not consider that "in the present circumstances an expedition from Uganda merely to report on what is going on in the Bahr-el-Ghazal Province would repay the outlay. If the sudd in the Bahr Zeraf or Bahr Jebel is cleared, it will be easy to send a force from Shambeh to look after that country; in the meantime, when El Obeid is occupied, Shakka will no doubt form a post from which the Bahr-el-Ghazal can be reached."

With these observations of Lord Kitchener's I have the honour to agree.

I have, &c.

(Signed) CROMER.

No. 118.

Sir F. Lascelles to the Marquess of Salisbury.—(Received December 25.)

(No. 135. Africa.)

My Lord, *Berlin, December* 23, 1899.

I TOOK an opportunity this morning of mentioning to Baron von Richthofen the alleged German encroachments in Kibumbiro, which formed the subject of your Lordship's despatch No. 174, Africa, of the 14th instant.

Baron von Richthofen said that he presumed your Lordship alluded to a matter upon which he had already sent very strong instructions to the German officer at Bukoba, which he hoped would bring about a settlement of the question. His difficulty was that the officer was not provided with a cypher, and that it was necessary to communicate with him by post, which caused considerable delay.

I have the honour to inclose a copy of a Memorandum which, at Baron von Richthofen's request, I have sent to him on this subject.

I have, &c.

(Signed) FRANK C. LASCELLES.

Inclosure in No. 118.

Memorandum.

THE Acting British Commissioner and Consul-General in Uganda has reported to Her Majesty's Government, under date of the 14th September last, that the British Officer Commanding at Buddu reports that he is informed by the Lieutenant Commanding the British forces at Sanji that on his arrival at the latter place he had learned from an Arab trader, named Ahmad-bin-Salim, that he had been attacked on the night of the 8th September in his camp close to Kakuto by Waganda rebels, who had killed ten of his men and stolen forty of his loads. Ahmad-bin-Salim reported the incident to the German sergeant at Kakuto, but was told that it was an affair for the English to deal with. Lieutenant Keen and an armed force proceeded to the spot, and found a newly-made grave, and traced the rebels to a point about three miles east of Kakuto, where it was evident that they had crossed into German territory. The officer then returned to camp at Kirongozis.

Lieutenant Keen on this occasion visited the Shambas country and took the Chief Wernarika prisoner, although he and all his people denied all knowledge of the aggression, which, nevertheless, took place within half-a-mile of the Chief's house.

No. 117*.

Viscount Cromer to the Marquess of Salisbury.—(Received December 25.)

(No. 9. Africa.)

My Lord,

Cairo, December 16, 1899.

IN reply to your Lordship's despatch No. 81 of the 30th ultimo, inquiring as to gratuities for disabling wounds awarded in the Egyptian army, I have the honour to transmit to your Lordship herewith a Memorandum drawn up on the subject at the Egyptian War Office, together with Tables showing the scale of gratuities, and the Articles of the pension law applying to them a translation of a Khedivial Decree providing for the reversion of pensions to the widows and children of soldiers and officers is also inclosed.

I understand that these Regulations only apply to Egyptian conscripts and officers. Soudanese soldiers in similar cases receive small gratuities at the discretion of the Sirdar.

I have, &c.

(Signed) CROMER.

Inclosure 1 in No. 117*.

Memorandum.

BLOOD-MONEY for officers is shown in Table (A), and for N.C.Os. and men in Table (B).

2. Widows and children of officers and men killed, or who have died in consequence of serious wounds received in action or while in the execution of duty, will have the right to the same amount of pension as that allowed in columns *, provided that their number is more than one person, and to half this amount if the number is one person only.

3. Widows and children of officers and men who die while on the pension list will have the right to one-half of such a pension if more than one in number, and of one quarter if one person only.

4. Heirs who may claim pensions are:—

(*a.*) Widows of the deceased.

(*b.*) Children of the deceased whether from last or former marriages.

The amount of pension granted is divided according to the Mahommedan Law amongst Moslems and in equal shares amongst others.

5. The following are not entitled to pensions:—

(*a.*) Widows with only male children all over 16 years of age on the death of their father.

(*b.*) Widows whose male children were over 16 years of age and their female children were all married or over 16 years of age on the death of their father.

(*c.*) All sons over 16 years of age at the time of their father's death.

(*d.*) All daughters over 16 years of age or married at the time of their father's death.

6. Pensions will cease to be drawn in the following cases:—

(*a.*) By widows in the event of remarriage.

(*b.*) By widows when the youngest child attains the age of 16.

(*c.*) By male children on attaining the age of 16.

(*d.*) By male children taken into Government service or educated at the expense of the Government; their pensions will be restored to them if they cease to be so employed or educated for other reasons than those of misconduct.

(*e.*) By girls on attaining the age of 16, or on their marriage, which ever may happen first.

7. No pension will be restored to widows who may have been divorced on remarriage or have again become widows. This also applies to girls who get married and are subsequently divorced or become widows.

8. No pension is allowed to a wife who had been divorced by her husband before his death.

9. Shares of pensions of widows who may die or get married, or of girls who may die, get married, or attain the age of 16, or of boys who may die or attain the age of 16, are not transferable to other heirs.

10. Distribution of pensions to the heirs according to Mahommedan Law:—

The widow gets one-eighth of the pension in all cases.

The remaining seven-eighths are distributed to the child or children in proportion of two units to a boy and one unit to a girl in a mixed family, and in equal share amongst children of the same sex.

11. The gravity of the wound or injury should be decided by a Medical Board detailed by the Ministry.

12. Five per cent of the pay drawn by officers is deducted towards pensions.

Financial Secretary's Office, War Office, Cairo,
December 14, 1899.

Inclosure 2 in No. 117*.

Table (A).—GRATUITIES and Pensions for Wounds or Infirmities.

Pay.		Rank.	Fixed Pensions.	Varying Pensions.			Varying Gratuities and Pensions.								
			Blindness, or absolute Disablement of two Limbs.	Amputation or absolute Disablement of one Limb, or Wounds, or Infirmities of an equivalent nature.			Lesser Wounds or Infirmities necessitating Discharge from Service (before the 20 years' Service entitling to Pension).								
							Gratuities.			Varying Pensions.					
Monthly.	Yearly.		No Limit for Service.	Minimum—no limit for Service; Maximum—after 25 years' Service.			10 years' or less than 10 years' Service.			Above 10 years' and up to 15 years' Service.			Maximum to 35 years' Service; Minimum to 15 years' Service.		
			*	Minimum.	Annual Addition.	Maximum.	Minimum.	Annual Addition.	Maximum.	Minimum.	Annual Addition.	Maximum.	Minimum.	Annual Addition.	Maximum.
P. T.	P. T.		P. T.	P. T.	P. T.	P. T.	P. T.	P. T.	P. T.	P. T.	P. T.	P. T.	P. T.	P. T.	P. T.
400	4,800	Mulazim Tani	3,600	2,400	48	3,600	800	800	8,000	1,200	120	1,800	2,400	60	3,600
450	5,400	Mulazim Awal	4,050	2,700	54	4,050	900	900	9,000	1,350	135	2,025	2,700	68	4,050
750	9,000	Yusbashi	6,750	4,500	90	6,750	1,500	1,500	15,000	2,250	225	3,375	4,500	113	6,750
1,500	18,000	Saghkolaghasi	12,000	6,000	210	12,000	3,000	3,000	30,000	3,600	350	5,350	6,000	300	12,000
2,500	30,000	Bimbashi	20,000	10,000	400	20,000	5,000	5,000	50,000	6,000	400	8,000	10,000	500	20,000
3,000	36,000	Kaimakam	24,000	12,000	480	24,000	6,000	6,000	60,000	7,200	480	9,600	12,000	600	24,000
4,700	56.400	Miralai	37,600	18,800	750	37.600	9,400	9,400	94,000	11,280	624	14,400	18,800	940	37,000
6,500	78,000	Lewa	52,000	26,000	1,040	52,000	13,000	13,000	130,000	15,600	1,040	20,800	26,000	1,300	52,000
7,500	90,000	Ferik	60,000	30,000	1,200	60,000	15,000	15,000	150,000	18,000	1,200	24,000	30,000	1,500	60,000

N.B.—The annual addition is added to the minimum for each year's service.

Inclosure 3 in No. 117*.

Table (B).—PENSIONS and Gratuities for N.C.Os. and Soldiers.

Pay.		Rank.	Pensions and Gratuities for Wounds or Infirmities.		
			Fixed Pensions.		Fixed Gratuity.
Monthly.	Yearly.		Blindness, and Amputation of two Limbs. *	Amputation of one Limb or absolute Disablement of two Limbs.	Lesser Wounds or Infirmities necessitating discharge from Service.
P. T.	P. T.		P. T.	P. T.	P. T.
150	1,800	Sol	1,350*	1,200†	1,800 ‡
70	840	Bash-Shawish (head sergeant)	1,080	960	840
60	720	Buluk-Amin	984	875	720
50	600	Shawish (sergeant)	900	795	600
40	480	Onbashi (corporal)	800	720	480
30	360	Nafar (private)	720	635	360

* For the Sol, this pension is equal to three-fourths of his annual pay.

† For the Sol, this pension is equal to two-thirds of his annual pay.

‡ Equivalent to one year's pay.

Inclosure 4 in No. 117*.

Pensions and Gratuities of Officers.

ARTICLE 22. Pensions and gratuities granted on account of wounds or infirmities will be settled according to the rank in possession of the officer.

Article 23. When an officer becomes, on account of wounds or infirmities, incapable to serve, he should not be kept in his appointment. His length of service, in settling his pension or gratuity, will count up to the date of the medical certificate (date inclusive).

Pensions and Gratuities of N.C.Os. and Men.

Article 24. N.C.Os. and men are entitled to pensions or gratuities, as shown on the annexed Table (B), under the following circumstances:—

1. N.C.Os. and men who may receive wounds occasioning loss of sight or the amputation of one or two members will be given a permanent pension in accordance with Table (B) annexed to the present Laws.

2. N.C.Os. and men receiving lighter wounds or infirmities disabling them to continue service will be given a gratuity equal to one year's pay.

Inclosure 5 in No. 117*.

Wounds Gratuities.

STATEMENT showing Sums granted by the Egyptian Government and the Amounts proposed by Colonel Ternan in his Despatch No. 132 of the 23rd June, 1899.

	Rank.	Fixed Pensions.			Fixed Gratuity for lesser wounds necessitating discharge.	Severe wounds not necessitating discharge.
		To Widow of Soldier* killed in action or died of wounds.	Blindness, and amputation of two limbs.	Amputation of one limb or absolute disablement of two limbs.		
Egyptian Army.		Months' pay.	Months' pay.	Months' pay.	Months' pay.	Months' pay.
Pensions and Gratuities for N.C.Os. and Soldiers	Sol	9	9	8	12	..
	Bash-Shawish (head-sergeant)	15	15	14	12	..
	Buluk-Amin	16	16	15	12	..
	Shawish (sergeant)	18	18	16	12	..
	Onbashi (corporal)	20	20	18	12	..
	Nafar (private)	24	24	21	12	..
Uganda Rifles.			Wounds necessitating discharge.			
Gratuities to Native Officers and Men	All ranks	9	24			3

* Pensions to widows of soldiers in the Egyptian Army are subject to conditions set forth in the accompanying Memorandum from the War Office, Cairo.

NOTE.—Lord Cromer states that he understands that the above pensions and gratuities only apply to Egyptian conscripts and officers, and that Soudanese soldiers in similar cases receive small gratuities at the discretion of the Sirdar.]

Inclosure 6 in No. 117*.

Decree.

WE, Khedive of Egypt, have seen the Law of 26th July, 1888, on Military Pensions;

On the proposition of our Ministers of War, Navy, and Finance, and the favourable opinion of our Council of Ministers, the Legislative Council having been consulted;

We Decree:

Article 1. The Articles 25 and 26 of the above-mentioned Law are modified as follows:—

Article 25. Are reversible on the widows and children of soldiers of any rank in the proportion of one-half, if there are more than one heir, and one-fourth if there is but one only, the pensions liquidated according to the terms of the present law.

The widows and children of officers deceased on active service, have a right to the named proportions of the pension or indemnity to which the officer would have been entitled had he been admitted to pension, or discharged in conformity with the conditions required by Article 18.

Article 26. The widows and children of soldiers killed or deceased from serious wounds received in time of war, are entitled, in the proportions fixed by the preceding Article, to the pension the deceased would have been entitled to, according to the terms of Article 19 and Article 24, paragraph 1, for the most serious wounds.

Article 2. Our Ministers of War, Navy, and Finance are instructed to carry out this Decree as far as their departments are concerned.

Made at the Koubbeh Palace, the 4th Ramadan, 1315 (9th February, 1898).

(Signed) ABBAS HELMY.

Lieutenant Keen has received orders to remain at Sanji, and the Chief Wernarika will be sent to Masaka.

It would appear from Colonel Ternan's report that a former remonstrance against Gabriel and his followers being allowed shelter in German territory has been addressed to the German officer at Bukoba, but that an answer was returned to the effect that, as he is a political refugee, he could not be arrested.

Berlin, December 23, 1899.

No. 119.

Foreign Office to Sir H. Johnston.

(No. 263.)

Sir,

Foreign Office, December 25, 1899.

THE Marquess of Salisbury has been in communication with the German Government on the subject of Colonel Ternan's despatch No. 198 of the 19th August last, which pointed out the necessity for an early delimitation of the frontier between the German possessions west of the Victoria Nyanza and the Uganda Protectorate. I am directed by his Lordship to inclose a copy of a despatch from Her Majesty's Chargé d'Affaires at Berlin,* which contains a translation of a note from the German Government concurring in the delimitation, and making certain suggestions as to carrying it out. His Lordship authorizes you to effect the delimitation in accordance with these suggestions, which, in the opinion of the Director of Military Intelligence, will not present any difficulties which cannot be solved on the spot.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 120.

Foreign Office to Sir A. Hardinge.

(No. 212.)

Sir,

Foreign Office, December 27, 1899.

THE Marquess of Salisbury referred to the Board of Trade Mr. Cave's despatch No. 177 of the 6th October containing a Memorandum by Sir Ll. Mathews on the question of light and harbour dues on the coasts of Zanzibar and Pemba, and I am directed by his Lordship to transmit to you a copy of their Lordships' reply.† They are of opinion that it will be better to make no exemption in the levy of the dues, and to retain the small tax of 1 anna per ton for lights, and 1 anna per ton for harbour dues. Lord Salisbury proposes to adopt this view.

Her Majesty's Government are still without any reply from the German Government to their suggestion for the imposition of dues, as the latter Government are understood to be still waiting for reports from their Representative in Zanzibar.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 121.

Foreign Office to Sir H. Johnston.

(No. 274.)

Sir,

Foreign Office, December 29, 1899.

THE Marquess of Salisbury has received Colonel Ternan's despatch No. 253 of the 12th October, and I am directed by his Lordship to state that he approves of the leave of absence granted to Mr. J. D. Wilson, and of his duties having been intrusted to Captain Gorges.

It is quite in accordance with his Lordship's views that military officers should assist, when called upon to do so, in the civil administration of the Protectorate, and he does not doubt that they will be glad of the opportunity of extending their sphere of usefulness.

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* No. 94.

† No. 61.

I am to add, for your guidance in such cases, that, in view of the comparatively high salaries drawn by military officers, his Lordship does not consider that such civil employment confers any claim for acting allowances.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 122.

Foreign Office to Sir H. Johnston.

(No. 278. Confidential.)

Sir,

Foreign Office, December 29, 1899.

WITH reference to Colonel Ternan's despatches Nos. 227 and 232 of the 23rd and 27th September, I am directed by the Marquess of Salisbury to transmit, for your information, copies of the papers, marked in the margin,* relating to the question of the present validity of the lease of the Bahr-el-Ghazal country to the King of the Belgians as Sovereign of the Congo Free State.

No special agreement has been come to on the subject since Lord Salisbury's despatch to Sir F. Plunkett, No. 46, of the 25th April last; and I am directed by his Lordship to instruct you to confine your action in the matter for the present to watching and reporting the movements of the King's forces within the sphere comprised in the lease.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 123.

The Marquess of Salisbury to Acting Commissioner Ternan.

Sir,

Foreign Office, December 29, 1899.

THE arrival of Sir H. Johnston, as Her Majesty's Special Commissioner, in the Uganda Protectorate will relieve you from the duties of Acting Commissioner which you have performed since Mr. Berkeley left the Protectorate in May last.

I have to express to you my entire approval of the manner in which you have carried on the administration of the Protectorate during the period in question, and shall have pleasure in communicating a copy of this despatch to Her Majesty's Secretary of State for War.

I am, &c.
(Signed) SALISBURY.

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* See Part LVIII, No. 54*.

No. 124.

Sir A. Hardinge to the Marquess of Salisbury.—(*Received December* 30.)

(No. 85.)
(Telegraphic.) P.
Zanzibar, December 30, 1899.

WITH reference to your Lordship's telegram No. 83 of the 22nd December, I beg to inform you that unless we demand Bardera and the surrounding country on the Italian side of the river Juba for a radius of some miles there is nothing we could take in exchange in the neighbourhood; the possession of Bardera would be useful to us, when we determine to occupy Saranli; we might do this at some future time in return for the Kismayu–Juba Concession being renewed. We might for the present ask a small rent for the use of the concesssion, of perhaps 100*l.* per annum, reserving all our sovereign rights, that of sending troops across the strip in particular, and making the lease terminable in five or ten years. An Article might be embodied in the Agreement placing Italians in the Sultan's dominions in the East Africa Protectorate, in Zanzibar, and in Pemba under British jurisdiction, and British subjects at Zanzibar ports, which Italy has leased, under Italian jurisdiction.

There are a considerable number of Indians in the Benadir district.

The Italians may wish for a clause to enable them to appoint, to act as Consul at Kismayu, their officer who is stationed on the frontier, and in this case one of our officials at Kismayu should be recognized as Consul for Benadir by them; he could easily pay occasional visits to that place.

I suggest, as there is no provision in the existing Treaty between Italy and Zanzibar for its termination at any fixed time, that the following alternative proposal might be considered; we might demand that the present Treaty be revised, that clauses for the mutual relinguishment of extra-territorial rights, and the abandonment of restrictions on taxation be introduced, and that a limit of time for operation of the Treaty be fixed.

No. 125.

Sir A. Hardinge to the Marquess of Salisbury.—(*Received December* 30.)

(No. 86.)
(Telegraphic.) P.
Zanzibar, December 30, 1899.

WITH reference to my telegram No. 85, the Treaty between Austria and Zanzibar expired on the 29th December, 1898. There is, however, a clause by which it is prolonged a year after its denunciation by either party, and I would recommend that it should be denounced immediately, and that a new Treaty, on terms more favourable to this Protectorate, should be concluded. A similar Treaty should also, in my opinion, be concluded with Belgium, whose present Treaty is provisional, though no time limit is fixed, and gives most-favoured-nation treatment until a definite Commercial Treaty shall be concluded.

We are not seriously troubled here by either Austrians or Belgians, but if the Treaty with Italy is rearranged, theirs might also be dealt with at the same time, in order to facilitate the general surrender of extra-territorial rights to which Germany has pledged herself conditionally.

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Further Correspondence Respecting East Africa. October to December 1899. TS Selected Foreign Office Files on Africa. The National Archives (Kew, United Kingdom). Nineteenth Century Collections Online. Web. 2 May 2016.

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